THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934

VOLUME 11 NUMBER 152

Washington, Tuesday, August 6, 1946

The President

PROCLAMATION 2698

VICTORY DAY—1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS on August 14, 1945, the victory of the Allied Nations was consummated by the unconditional surrender of the armed forces of the Empire of Japan, which terminated a conflict world-wide in scope and freed the people of the world from the threat of enslavement of body and spirit; and

WHEREAS this victory was dearly bought not only by unlimited expenditure of material and effort but also by a heroic sacrifice of life; and

WHEREAS it is fitting that our people should recall with pride the sacrifices which have been made and renew their devotion to the cause for which they fought; and

WHEREAS, although victorious in arms, we must not relax our determination or diminish our efforts for the attainment of the final goal—the establishment of a just and enduring peace:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim Wednesday, August 14, 1946, as Victory Day; and I direct that on that day the flag of the United States be displayed on all Government buildings.

And I call upon the people of the United States to observe Victory Day as a day of solemn commemoration of the devotion of the men and women by whose sacrifices victory was achieved, and as a day of prayer and of high resolve that the cause of justice, freedom, peace, and international good-will shall be advanced with undiminished and unremitting efforts, inspired by the valor of our heroes of the Armed Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 2nd day of August in the year of our Lord nineteen hundred and forty-six and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL] HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-13550; Filed, Aug. 5, 1946; 10:16 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—Production and Marketing Administration (Production Orders)

[WFO 105, Termination]

PART 1206—FERTILIZER

USE OF EDIBLE OILSEED MEAL IN FERTILIZER

War Food Order No. 105, as amended (9 F.R. 7296, 10 F.R. 8095), is hereby terminated effective as of 12:01 a. m., e. s. t., August 6, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under said War Food Order No. 105, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 5th day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13552; Filed, Aug. 5, 1946; 11:14 a. m.]

[WFO 9, Amdt. 10]

PART 1220—FEED

RESTRICTIONS ON DELIVERY, RECEIPT AND USE OF PROTEIN MEAL, WHEAT MILL FEEDS, AND SOYBEANS

War Food Order No. 9, as amended (11 F.R. 669, 2215, 2436, 4383, 6749), is hereby further amended:

[Continued on p. 8483]

CONTENTS

THE PRESIDENT

REGULATIONS AND NOTICES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

CODIFICATION GUIDE—Continued

1. By adding after subparagraph (a) (20) the following definition:

(a) (21) "Edible oilseed meal" means cottonseed oil meal or cake, soybean oil meal or cake, peanut oil meal or cake, and linseed oil meal or cake, of merchantable quality for feeding purposes.

2. By inserting the words "Except as provided in paragraph (e)" before the phrase "No person shall" in paragraph (d) (2).

3. By striking paragraph (e) and substituting in lieu thereof the following:

(e) *Exceptions to restrictions of paragraph (d) (1).* Notwithstanding the restrictions of paragraph (d) (1), any mixed feed manufacturer or handler may, subject to the certificate provisions of paragraph (f), accept delivery of a single carload lot (as determined under regulations of the Office of Defense Transportation) of protein meal: *Provided, however,* That such deliveries may not be made more frequently than similar deliveries to such manufacturer or handler during the same period of the calendar year 1945.

(2) Notwithstanding the restrictions of paragraph (d) (1), any feeder may accept delivery of protein meal in lots of not to exceed 2,000 pounds, *Provided, however,* That such deliveries may not be made more frequently than similar deliveries to such feeder during the same period of the calendar year 1945.

(3) Notwithstanding the restrictions of paragraph (d) (1), any ranchman may, subject to the certificate provisions of paragraph (f), accept delivery of protein meal in such amounts as are necessary to provide a readily available supply of protein meal for ranch feeding purposes and to make the most economic use of transportation facilities under pertinent regulations of the Office of Defense Transportation.

(4) Notwithstanding the restrictions of paragraphs (d) (1) and (d) (2), which shall not apply to the acquisition of edible oilseed meal for fertilizer purposes, any person who was authorized under War Food Order No. 105, as amended (9 F.R. 7296, 10 F.R. 8095), to acquire edible oilseed meal for fertilizer purposes during the year ending June 30, 1946, may by purchase, processing or otherwise acquire edible oilseed meal for fertilizer purposes during the year ending June 30, 1947 in an amount not to exceed the quantity of such meal, he was authorized, as aforesaid, to acquire for such purposes during the year ending June 30, 1946, less the quantity of edible oilseed meal in his possession on July 1, 1946, and any person who did not receive such authorization for the year ending June 30, 1946, may apply in writing to the Order Administrator for authorization to acquire edible oilseed meal for fertilizer purposes during the year ending June 30, 1947, and if authorization is granted, may acquire oilseed meal in accordance with such authorization and this paragraph (e) (4): *Provided, however,* That no person shall acquire in any way and no person shall use edible oilseed meal as fertilizer or for the manufacture of fertilizer during the year ending June 30, 1947 in a total amount in excess of the quantity of edible oilseed meal authorized by this paragraph (e) (4) to be acquired by him during such year; *Provided, further,* That every person acquiring edible oilseed meal for fertilizer purposes from another person under this paragraph (e) (4) shall furnish to his supplier a certificate as prescribed by paragraph (f); *Provided, further,* That all such meal acquired for direct application as fertilizer pursuant to the provisions of this paragraph (e) (4) shall be delivered for use in geographical areas where, and on crops for which, such meals were delivered at any time in the past, and shall not be diverted to other areas and crops; *Provided, further,* That no person shall deliver or accept delivery of edible oilseed meal for fertilizer purposes under this paragraph (e) (4) prior to September 1, 1946; *Provided, further,* That no person shall acquire or deliver edible oilseed meal for fertilizer purposes except in accordance with this paragraph (e) (4).

4. By striking paragraph (f) and substituting in lieu thereof the following:

(f) *Certificates.* (1) No person shall deliver, except to a feeder as provided in paragraph (e) (2) or to a person acquiring edible oilseed meal as provided in paragraph (e) (4) for fertilizer purposes, any protein meal, urea or wheat mill feeds unless, at or before the time of delivery, the person receiving such protein meal, urea, or wheat mill feeds executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the United States Department of Agriculture and to _____ that he
(Name and address of supplier)
is familiar with the terms of War Food Order No. 9, that he will use the protein meal, urea, or wheat mill feeds to be delivered under this certificate in accordance with the provisions of War Food Order No. 9, and that the receipt by him of such protein meal, urea, or wheat mill feeds will not be in violation of any provision of such order.

_____
Purchaser
By _____
Authorized Official
_____
Address
_____
Date

(2) No person shall deliver edible oilseed meal to any person for fertilizer purposes unless at or before the time of delivery the person receiving such meal executes and furnishes to his supplier a certificate in the following form:

I hereby certify to _____
Name of supplier
and to the United States Department of Agriculture that under Authorization No. _____, issued to me pursuant to War Food Order No. 105 or War Food Order No. 9, I am authorized to acquire ___ tons of edible oilseed meal for fertilizer purposes during the year ending June 30, 1947, and that the quantity of edible oilseed meal proposed to be acquired from said supplier, together with all other quantities acquired or ordered from other suppliers for use during such year, does not exceed the quantity authorized.

_____
Purchaser
By _____
Authorized Official
_____
Address
_____
Date

(3) No person other than a feeder shall accept delivery of protein meal, urea or wheat mill feeds unless, at or before the time of delivery he executes and furnishes to his supplier a certificate as required by paragraphs (f) (1) and (f) (2).

This amendment shall become effective at 12:01 a. m., e. s. t. August 6, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 9, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 5th day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13553; Filed, Aug. 5, 1946; 11:14 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 150—ARREST AND DEPORTATION

SPECIAL DEPORTATION PROCEDURE IN CASES OF RECENT ILLEGAL ENTRANTS

JULY 25, 1946.

The following amendment to Part 150, Title 8, Chapter I, Code of Federal Regulations is hereby prescribed:

In § 150.11 (a) (1), the term "60 days" is deleted and the words "one year" are

inserted in its place, so that the introductory sentence and subparagraph (1) of § 150.11 (a) will read as follows:

§ 150.11 *Special deportation procedure*—(a) *In cases involving recent illegal entrants and alien seamen; when permissible.* Notwithstanding any other provisions of this part, any officer in charge of a district shall have power to issue warrants of arrest upon application made direct to such officer by an investigating officer;

(1) In any case in which an alien is believed to have entered the United States illegally from foreign contiguous territories or adjacent islands within one year preceding the application for warrant of arrest, and one of the grounds of deportation upon which the application for warrant of arrest is based is:

(i) That the alien entered the United States by water at any time or place other than as designated by immigration officials; or

(ii) That the alien entered the United States by land at any place other than one designated as a port of entry for aliens by the Commissioner of Immigration and Naturalization; or

(iii) That the alien entered the United States at any time not designated by immigration officials; or

(iv) That the alien entered the United States without inspection.

This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of Immigration and Naturalization.

Approved: August 2, 1946.

JAMES P. MCGRANERY,
Acting Attorney General.

[F. R. Doc. 46-13423; Filed, Aug. 2, 1946; 5:01 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

PART 9—IMPORTATIONS BY MAIL

AMENDMENT TO JOINT REGULATIONS

CROSS REFERENCE: For an amendment to the joint regulations of the Secretary of the Treasury and the Postmaster General regarding treatment of mail matter received from foreign countries involving the customs revenue, see Part 22 of Title 39, *infra*.

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong., and Pub. Laws 270 and 475, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Revocation of Direction 30]

INCREASED PRODUCTION OF CERTAIN MEN'S WEAR RAYON LINING FABRICS

Direction 30 to Order M-328 (§ 3290.-118) is revoked. This revocation does not affect any liabilities incurred under the direction or under any actions taken by the Civilian Production Administration under the direction.

The direction is replaced by Direction 2 under Order M-391, which is concerned with the same subject matter and is issued simultaneously with this revocation.

Issued this 2d day of August 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13498; Filed, Aug. 2, 1946; 11:48 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-391, Direction 2]

INCREASED PRODUCTION OF CERTAIN MEN'S WEAR LINING FABRICS

This direction is issued under Order M-391 (§ 3290.366) and replaces Direction 30 to Order M-328:

(a) *Explanation.* There is a serious shortage in the supply of fabrics suitable for use as linings for men's suits and other men's and boys' wear. Although a substantial increase in production of rayon twills and serges, 88 to 140 sley, has resulted since the issuance of Direction 30 under Order M-328 on February 6, 1946, and certain amendments made by the Office of Price Administration in its regulations concerning the ceiling prices of the fabrics, the shortage cannot be met unless the supply of fabrics suitable for this purpose is further increased.

This direction enables producers of twills and serges, 88 to 140 sley, inclusive, with rayon warp and rayon or cotton filling, to apply for approval by the Civilian Production Administration of their proposed production schedules for the third and fourth quarters of 1946, in order to qualify for such increases in their ceiling prices for these fabrics as may be permitted by regulations of the Office of Price Administration. It also states what action may be taken by the Civilian Production Administration with respect to applications, and production and delivery schedules, and requires producers whose applications are approved by the Civilian Production Administration to file production and delivery reports.

This direction, and the filing or approval of applications under it, do not require any person to produce or prohibit any person from producing any quantity of lining fabrics (in the grey state).

(b) *Applications.* Any producer of twills and serges (in the grey), 88 to 140 sley, inclusive, with rayon warp and rayon or cotton filling, who wants an approval of his production schedule of such fabrics for the third and fourth quarters of 1946 by the Civilian Production Administration, should file Form CPA-4395 with the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref. M-391, Dir. 2. This form should be filed as promptly as practicable whenever a producer decides that he would like to have approval under this direction. Applications received on or before August 14, 1946, will be considered first, and subsequent applications will be considered only for the balance, if any, of the program not already covered by approved schedules.

(c) *Action by Civilian Production Administration.* (1) The Civilian Production Administration may approve any application, in whole or in part or upon conditions. In general, applications will be approved when it appears that production is being maintained at or increased to the full extent practicable without causing serious shortages in the supply of fabric needed for other essential purposes. In particular cases, approval may be withheld if the production schedule proposed by an applicant would result in a serious decrease in production of other fabric also in short supply and needed for other essential purposes, or approval may be given upon condition that any proposed increase in production is not obtained by decreasing production of other fabrics specified by the Civilian Production Administration.

(2) The Civilian Production Administration will give notice in writing of its action upon each application, to the Office of Price Administration and to the person filing the application.

(3) If the Civilian Production Administration finds (under the conditions explained below) that any producer has failed or is failing to meet any of the following requirements, it may revoke its approval as to that part of his approved production schedule covering the period from the date of revocation to the end of December 1946: (i) The producer must, if practicable, produce at least as much fabric of the kinds covered by his approved production schedule, during the third and fourth quarters of 1946, as indicated in his approved application; (ii) he must dispose of all of such fabric promptly, including all which he sells in the grey state, or finishes or has finished for his account; and (iii) he must file reports with the Civilian Production Administration as required under paragraph (d) below.

In determining whether a producer could have met the first requirement (i), the Civilian Production Administration will take into consideration any work stoppages, inability to obtain sufficient yarn, undue diversion of yarn to other fabrics, or other pertinent circumstances affecting his productive capacity. In order to afford producers an opportunity to increase or stabilize their production, no finding on the first requirement (i) will be made until after the end of the third quarter, 1946, unless a particular producer's production is very substantially below that proposed in his application.

In determining whether either of the other requirements could have been met, any pertinent circumstances explained by the producer will be taken into consideration.

If the Civilian Production Administration revokes approval under this paragraph (c) (3), it will notify the Office of Price Administration of its determination. Before making such a determination for this purpose, however, the Civilian Production Administration will notify the applicant at least ten days in advance of the proposed determination, and he may offer in writing or in person any explanation as to the reasons why he could not meet these requirements.

If the Civilian Production Administration notifies the Office of Price Administration of its revocation of approval, the Office of Price Administration will then take such action as it finds appropriate with respect to any increase in his ceiling prices which may have been permitted under its regulations by reason of his application to the Civilian Production Administration and the approval of the application under this direction.

(d) *Effect of approval.* (1) The approval of an application by the Civilian Production Administration applies only to any production which is not contrary to any conditions stated in the notice of approval, including any limitation upon the quantity of increased production for which approval is given.

(2) Persons whose applications are approved will thereby qualify for any increases in their ceiling prices permitted by the regulations or actions of the Office of Price Administration, as now or hereafter amended. Applicants should consult the applicable regulations of the Office of Price Administration as to the price increases which will be permitted by that agency.

(e) *Reports.* Producers whose applications are approved under this direction shall file reports on Form CPA–4394, at the time and in the manner stated in the form. The reporting requirements of this direction have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(f) *Communications.* All reports, appeals and other communications concerning this direction shall be addressed to: Civilian Production Administration, Textile Division, Washington 25, D. C., Ref.: M–391, Dir. 2.

Issued this 2d day of August 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46–13499; Filed, Aug. 2, 1946; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1309—COPPER

[RPS 15, Amdt. 7]

COPPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule No. 15 is amended in the following respects:

1. Section 1309.60 (a) (1), (2) and (3) is amended to read as follows:

(a) *Maximum base price for copper except casting copper.* The maximum base price for copper delivered in carload lots at Connecticut Valley points shall be 14⅜ cents per pound. This maximum base price is for electrolytic, lake or other fire refined copper in the shape of wire bars or ingot bars made to meet either the American Society of Testing Materials Standard specifications B5–27 for electrolytic or B4–27 for lake copper.

2. Section 1309.60 (b) (1), (2) and (3) is amended to read as follows:

(b) *Maximum base prices for casting copper.*

Amount of shipment: (f. o. b. shipping point)	Price
20,000 pounds or more	14⅛ cents per lb.
Less than 20,000 pounds	14⅜ cents per lb.

These maximum base prices are for casting copper in the shape of ingot bars or small ingots made by fire refining to a standard of 99.5 per cent pure including silver as copper.

3. Section 1309.60 (f) (1), (2) and (3) is amended to read as follows:

(f) *Maximum prices on sales and deliveries of copper other than casting copper in less than carload lots by refiners or producers.* On sales and deliveries of copper other than casting copper in less than carload lots by refiners or producers, the maximum price f. o. b. refinery shall be 14½ cents per pound plus or minus the applicable kind or grade and shape or form differentials set forth in paragraph (c) of this section.

This amendment shall become effective August 2, 1946.

Issued this 2nd day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13511; Filed, Aug. 2, 1946; 4:37 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 2 to Supp. 1 [1]]

MACARONI AND NOODLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 4a is added to read as follows:

SEC. 4a. *Maximum prices for sales of macaroni and noodle products made by processors on or after August 2, 1946.* (a) For all sales of any item of macaroni and noodle products made on and after August 2, 1946, the maximum price of the processor to each class of purchaser shall be:

(1) His maximum price to the same class of purchaser determined under this supplement prior to August 2, 1946; plus

(2) An amount figured by multiplying the net weight of the sales unit (in pounds and fractions of a pound) by $0.028.

(b) *Information to be filed.* Each processor who determines a maximum price under subparagraph (a) shall on or before August 22, 1946, file with the Office of Price Administration, Washington, D. C., a true copy of the calculations showing his determination of such maximum price for the item.

The Office of Price Administration may require any seller filing a report which does not comply with the provisions of this section, or which reports a price erroneously figured to correct and resubmit the report.

This amendment shall become effective August 2, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: August 2, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46–13513; Filed, Aug. 2, 1946; 4:34 p. m.]

[1] 9 F.R. 6720, 6881.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 2 to Supp. 11]

BREAKFAST CEREALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement 11 to Food Products Regulation No. 1 is amended in the following respects:

1. The table in section 4 (a) (2) is amended to read as follows:

Kind of breakfast cereals	Sales of breakfast cereals by processors and repackers (except to repackers)	Sales of breakfast cereals in bulk by processors to repackers
Bran flakes	$0.0434	$0.0367
Corn flakes	.0358	.0341
Malted cereal granules	.0327	.0266
Oat cereal, ready-to-serve	.0289	.0231
Oat cereal, not ready-to-serve (packaged)	.0342	------
Puffed rice	.0448	.0426
Puffed wheat	.0416	.0404
Rice flakes	.0448	.0426
Shredded wheat	.0459	.0374
Wheat cereal	.0341	.0286
Wheat flakes	.0327	.0266
Whole bran	.0284	.0239

2. Section 4 (b) (2) is amended to read as follows:

(2) An amount figured by multiplying the net weight of the sales unit (in pounds and fractions of a pound) by $0.0342.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: August 2, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46–13514; Filed, Aug. 2, 1946; 4:35 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296, Amdt. 11]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 296 is amended in the following respects:

1. Section 14 (a) is amended to read as follows:

(a) Supply each wholesaler, wagon wholesaler, retailer and retail route seller with a written notice as set forth below:

[1] 10 F.R. 2614.

(Insert date)

NOTICE TO WHOLESALERS, WAGON WHOLESALERS, RETAILERS AND RETAIL ROUTE SELLERS

Our OPA ceiling price for (description of item) has been changed. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 or 423, or a wagon wholesaler or retail route seller pricing under the General Maximum Price Regulation you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (effective date of the applicable supplement, amendment or order). If pricing under Maximum Price Regulations Nos. 421, 422 or 423, you must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you. If pricing under the General Maximum Price Regulation you must refigure your ceiling price by adding to the new "net cost" of this item the exact percentage of markup in effect March 31, 1946. Your "net cost" will be the amount you paid your supplier less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges you paid except local trucking and local unloading.

2. A new paragraph XVI is added at the end of Appendix A to read as follows:

XVI. *Temporary increases in maximum prices.* On and after August 2, 1946 and for so long as wheat is not under price control, the following price increases shall be in effect:

(a) All of the maximum prices in Appendix AI, AIII (b) and (c), Appendix AIV, Appendix AVI, Appendix AXIII (a), (b), (c) and (f) are increased by $1.11 per hundredweight.

(b) All of the maximum prices in Appendix AII and Appendix AXII (d) and (e) are increased by $1.24 per hundredweight.

(c) The prices in the table in Appendix AV are increased to the following amounts:

	Per hundredweight
Colorado, east of the Rocky Mountains	$4.81
Montana, Wyoming	4.94
Colorado, west of the Rocky Mountains	5.19
Kansas, Nebraska, New Mexico, North Dakota, South Dakota	5.06
Oregon, Washington	5.32
Idaho	5.37
Arizona, Oklahoma	5.32
Utah	5.45
Iowa and Missouri	5.40
Texas	5.42
Arkansas, Minnesota	5.45
Illinois	5.50
Indiana, Wisconsin	5.55
Nevada	5.70
Michigan, Ohio	5.60
Delaware, District of Columbia, Maryland, Pennsylvania, West Virginia	5.70
New Jersey, New York	5.73
The New England States	5.75
California	5.96
Kentucky, Louisiana, Virginia	5.80
Tennessee	5.93
Alabama, Georgia, Mississippi, South Carolina, Florida	5.98
North Carolina	6.03

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: August 2, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46-13518; Filed, Aug. 2, 1946; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14, Amdt. 34]

SULPHATE OF AMMONIA FOR INDUSTRIAL USE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.10 to Article I of Second Revised Supplementary Regulation 14 is added to read as follows:

SECTION 1.10 *Maximum prices for sales of sulphate of ammonia for industrial use (minimum nitrogen content 20.5%).* Maximum prices for sales of sulphate of ammonia for industrial use shall be the higher of the following appropriate maximum prices:

(a) (1) *Washington, Oregon, California and Arizona.* The maximum price that may be charged for sulphate of ammonia delivered to any destination in Washington, Oregon, California and Arizona shall be $36.50 per ton in bulk, and $38.00 per ton in bags, *Provided,* That on any shipment made to destinations in Washington and Oregon where the freight charges exceed $7.21 per ton from Ironton, Utah to such destination, such excess freight charges may be added to the maximum price *And provided further,* That on any shipments made to destinations in California and Arizona where the freight charges exceed $4.53 per ton from Shell Point, California to such destination, such excess freight charges may be added to the maximum price.

(2) *Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.* The maximum price that may be charged for sulphate of ammonia in bags shall be: $41.00 per ton delivered to any destination in Colorado; $42.60 per ton delivered to any destination in New Mexico; and, for deliveries to any destination in Idaho, Montana, Nevada, Utah and Wyoming, f. o. b. Ironton, Utah; $31.50 per ton in carload quantities of 40 tons or more; $34.10 per ton in quantities of 15 tons or more but less than 40 tons and $41.60 per ton in quantities of less than 15 tons. In the case of deliveries of material in bulk, the above maximum prices shall be reduced by $2.50 per ton.

(3) *All other States.* The maximum price that may be charged for sulphate of ammonia for delivery to any destination in all other States than those set forth under (1) and (2) above, shall be $30.00 per ton in bulk f. o. b. at domestic producing plant or at nearest domestic producing plant to point of entry for imported sulphate of ammonia.

For bagged sales there may be added to the above maximum price $1.50 per ton plus a sum not in excess of the established maximum price, at the time of the sale, for the bags containing the ton.

(4) If sulphate of ammonia is shipped from the producer's plant or, in the case of imports, from the point of discharge, to a warehouse situated at a point other than the point of production or discharge is handled through a warehouse, and reshipped from the warehouse in bags, there may be added to the maximum bagged price the sum of 50 cents per ton. The point of discharge is the port at which the imported sulphate of ammonia is unloaded from a vessel, or, in the case of rail shipments of imported sulphate of ammonia, the price at which such shipment is first unloaded.

(b) If the seller's maximum price for sales of sulphate of ammonia to industrial users was higher under the General Maximum Price Regulation than for sales to fertilizer manufacturers, he may add to the appropriate maximum price specified in paragraph (a) above the same percentage differential that existed on March 31, 1946, between his sales to industrial users and his sales to fertilizer manufacturers.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13515; Filed, Aug. 2, 1946; 4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. SR 14B, Amdt. 9]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Regulation 14B is amended in the following respects:

1. The "Notice to Wholesalers and Retailers" in section 11 is amended to read as follows:

(Insert date)

NOTICE TO WHOLESALERS, WAGON WHOLESALERS, RETAILERS, AND RETAIL ROUTE SELLERS

Our OPA ceiling price for (description of item) has been changed. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, or a wagon wholesaler or retail route seller pricing under the General Maximum Price Regulation you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (effective date of the applicable supplement, amendment, or order). If pricing under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you. If pricing under the General Maximum Price Regulation you must refigure your ceiling price by adding to the new "net cost" of this item the exact percentage of markup in effect March 31, 1946. Your "net cost" will be the amount you paid your supplier less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges you paid except local trucking and local unloading.

2. A new section 14 is added to read as follows:

SEC. 14. *Temporary increases in maximum prices for bread and bread type rolls.* On and after August 2, 1946 and for so long as wheat is not under price control, maximum prices for sales by producers of bread and bread type rolls as determined under any other provision of this Revised Supplementary Regulation or any other regulation or order are hereby increased one cent per loaf

for loaves weighing less than two pounds and for loaves weighing more than two pounds two cents a loaf plus an additional one cent for each full pound in excess of two pounds and one cent per dozen in the base of bread type rolls. Whenever a producer increases his maximum price pursuant to this section any reseller may increase his maximum price by the same percentage markup over cost of acquisition as was in effect on March 31, 1946.

3. A new section 15 is added to read as follows:

SEC. 15. *Temporary increases in maximum prices for biscuits, crackers and cookies.* On and after August 2, 1946, and for so long as wheat is not under price control, maximum prices for sales by producers of biscuits, crackers and cookies as determined under any provision of any regulation or order are hereby increased by 15 percent. Whenever a producer increases his maximum price pursuant to this section any reseller may increase his maximum price by the same percentage markup over cost of acquisition as was in effect on March 31, 1946.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: August 2, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46-13516; Filed, Aug. 2, 1946; 4:34 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305, Amdt. 17]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS' GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 305 is amended in the following respects:

1. The following sentence is added at the end of paragraphs (a) and (b) of § 1351.1754 and paragraphs (a) (2) and (f) (2) of § 1351.1756:

On and after August 2, 1946, and for so long as corn is not under price control, the foregoing price may be increased by $1.10 per hundredweight.

2. The notice to wholesalers and retailers in § 1351.1766 (a) is amended to read as follows:

(Insert date)

NOTICE TO WHOLESALERS, WAGON WHOLESALERS' RETAILERS AND RETAIL ROUTE SELLERS

Our OPA ceiling price for (description of item) has been changed. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 or 423, or a wagon wholesaler or retail route seller pricing under the General Maximum Price Regulation you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (effective date of the applicable supplement, amendment or order). If pricing under Maximum Price Regulations Nos. 421, 422 or 423, you must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you. If pricing under the General Maximum Price Regulation you must refigure your ceiling price by adding to the new "net cost" of this item the exact percentage of markup in effect March 31, 1946. Your "net cost" will be the amount you paid your supplier less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges you paid except local trucking and local unloading.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

Approved: August 2, 1946.

N. E. DODD,
Under Secretary of Agriculture.

[F. R. Doc. 46-13519; Filed, Aug. 2, 1946; 4:35 p. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 40]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

A statement of the consderations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 129 is amended in the following respects:

1. Section 8 (a) (2) is amended by adding the following to the list of commodities thereunder:

Inks for bag printing, decorating metal cans and caps, marking and decorating cellophane wrappers including typographic inks, planographic inks and intaglio inks, except when used in the printing of textiles.
Vanillin.

2. Section 12 (c) is amended by changing the item beginning "Spools and reels * * *" to read as follows:

Spools or reels, metal, designed and sold for use in shipping wire, cable, rope, etc.

3. Section 15 (a) is amended by adding the following to the list of commodities thereunder:

Collar protectors.
Head bands, neck bands and other paper specialties, designed for use by barbers and beauty operators.
Paper shrouds and paper mortuary sheets.
Paper shower curtains.
Shirt bands.
Tie racks.
Waterproof papers, formerly covered by the GMPR, which include papers laminated by, or infused with, asphalt or an asphaltic compound which may contain some resin or wax, and containing more than 12½% by weight of the moisture-resistant agent.

4. Section 16 (a) is amended by adding the following to the list of commodities thereunder:

Ordinary channel black (rubber, color, and ink); premium channel blacks selling for 6¢ or less at the manufacturing level.
Resins in the form of monomers, polymers and copolymers of vinyl chloride, vinyl acetate, vinyl butyral, vinylidine chloride and styrene, as well as plastic materials containing at least 50% of the above resins in the form of sheets (including continuous sheeting), rods, tubes, and compounds for molding and extrusion before fabrication. The suspension does not affect articles produced by further processing of the foregoing materials by cutting, punching, molding, printing, embossing, sewing, or other operation in the fabrication of a finished article, or plastic materials containing less than 50% of the listed resins either singly or in combination.

5. Section 16 (b) is amended by adding the following to the list of commodities thereunder:

Certain types of special purpose bicycle tires including sulky, racer, special thorn resisting tires and special portable saw tires.

6. Section 18 (b) is amended by adding a new paragraph (8) to read as follows:

(8) *Waterproof papers: reports of average prices and production.* Each manufacturer of waterproof papers shall, within ten days after the beginning of each month, report to the OPA, Washington 25, D. C., the total tonnage of waterproof papers sold during the preceding month and the average net price per ton of such papers.

This amendment shall become effective August 2, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13522; Filed, Aug. 2, 1946; 4:35 p. m.]

PART 1337—RAYON GREY GOODS

[RPS 23, as Amended,[1] Amdt. 6]

RAYON GREY GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Price Schedule No. 23, as amended, is amended in the following respects:

1. Section 1337.13 (c) is amended to read as follows:

(c) (1) Subject to the conditions stated below:

(i) A manufacturer's maximum price per yard in July 1946 and each of the 5 succeeding calendar months for all rayon serges and twills (grey) 88 to 140 sley, inclusive, shall be 110% of the maximum price applicable on June 30, 1946.

[1] 7 F.R. 2899, 2966, 2945, 3242, 3481, 6771, 8948; 11 F.R. 1774, 224, 2634.

(ii) A manufacturer's maximum price per yard in July 1946 and each of the 5 succeeding calendar months for rayon warp—cotton filled serges and twills (grey) 88 to 140 sley shall be 110% of the otherwise applicable maximum price provided the manufacturer has previously received written approval from the Office of Price Administration of said maximum price.

(2) The conditions are as follows:

(i) The foregoing increases apply only to a manufacturer who has duly filed with the Civilian Production Administration and obtained that agency's approval of his production schedule (on Form Civilian Production Administration 4395) to produce any of the above fabrics.

(ii) If the Civilian Production Administration, pursuant to paragraph (c) (3) of Direction 2 to Order M-391, revokes its approval of the production schedule of a manufacturer, the Office of Price Administration will by individual order withdraw or suspend the manufacturer's permission to charge the 10% premium unless or until the Civilian Production Administration has reinstated its approval. The manufacturer shall not, after the date of revocation, charge the increased price provided for in subdivisions (i) and (ii) of subparagraph (1) above.

(iii) For a period of 14 days after the effective date of this order, any producer of the fabrics described in subdivisions (i) and (ii) of subparagraph (1) above, who has received a notification from the Civilian Production Administration that a certification has been made by that agency to the Office of Price Administration of an intent to include his production in the lining program, may increase his maximum prices by 10%.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13512; Filed, Aug. 2, 1946; 4:36 p. m.]

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 567,[1] Amdt. 3]

MANUFACTURERS' PRICES FOR GLASSINE PAPERS AND GREASE-PROOF PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 567 is amended in the following respects:

In Appendix A (a) the table of prices is amended to read as follows:

Grade:	*Maximum base prices per cwt.*
No. 1 bleached glassine	$13.75
No. 1 bleached greaseproof	11.50

[1] 10 F.R. 701, 1142; 11 F.R. 996.

This amendment shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13520; Filed, Aug. 2, 1946; 4:36 p. m.]

Chapter XXII—Retraining and Reemployment Administration, Department of Labor

[Order 10]

INTER-AGENCY COMMITTEE ON FEDERAL EMPLOYMENT

1. *General statement*—(a) *Purpose.* The Civil Service Laws, the Selective Service and Training Act of 1940, as amended, and the Veterans' Preference Act of 1944, and Rules and Regulations issued pursuant to these Acts have given rise to numerous and varied personnel problems during the transition from war to peacetime operation in the executive agencies of the Federal Government. The purpose of this order is to provide for the establishment of a committee representative of federal departments, independent establishments, and agencies to co-ordinate the Federal employment programs, with reference to veteran and non-veteran workers in the Federal service both departmental and field, in order that the Federal Government can take its rightful place of leadership in the reintegration of veterans into our civilian economy with due regard for the status of non-veteran employees.

2. *Organization of the committee.* Pursuant to Title III, section 302, War Mobilization and Reconversion Act of 1944 (Public Law 458, 78th Congress), a committee to be known as the Inter-Agency Committee on Federal Employment is hereby established. This committee will consist of a Secretary designated by the Administrator of the Retraining and Reemployment Administration and of representatives from each of the following agencies of the Federal Governments:

Department of State.
Department of Treasury.
Department of Justice.
Post Office Department.
War Department.
Navy Department.
Department of the Interior.
Department of Agriculture.
Department of Commerce.
Department of Labor.
Bureau of the Budget.
Civil Service Commission.
Civilian Production Administration.
Federal Security Agency.
Federal Works Agency.
National Housing Agency.
Selective Service System.
Reconstruction Finance Corporation.

Representatives of the agencies named will qualify for membership on the committee upon designation as such by the head of the respective agency and approval by the Administrator. One alternate may be named for each member, and, upon qualifying in like manner, such alternate may act in the place of his principal. The Administrator, or one designated by him for such purpose, will preside as chairman of the committee. The committee will meet upon call of the chairman.

3. *Functions of the committee.* The committee will study and evaluate the employment programs of the several Federal Departments and independent agencies which concern employment of veterans and non-veterans, and will submit recommendations to the Administrator for the co-ordination of these programs to the extent determined appropriate and necessary. In the performance of its functions, the committee may consult, as desirable, with representatives of Federal and State agencies or organizations, public and private, directly interested in personnel administration.

4. *Participation of the Veterans' Administration.* By copy of this order the Administrator of Veterans' Affairs is requested to designate an appropriate representative to serve as a member of this committee.

G. B. ERSKINE,
Major General, USMC,
Administrator.

AUGUST 2, 1946.

[F. R. Doc. 46-13510; Filed, Aug. 2, 1946; 3:55 p. m.]

Chapter XXIII—War Assets Administration

[Reg. 5,[1] Order 15]

PART 8305—SURPLUS NONINDUSTRIAL REAL PROPERTY

ELIGIBILITY OF PUBLIC INTERNATIONAL ORGANIZATIONS

The Administrator has determined that the following public international organizations are, under the provisions of the International Organizations Immunities Act,[2] (Public Law 291, 79th Congress), and Executive Orders 9698 (11 F.R. 1809) and 9751 (11 F.R. 7713), public or governmental institutions within the meaning of section 13 of the Surplus Property Act:

The Food and Agriculture Organization
The International Labor Organization
The Pan American Union
The United Nations
The United Nations Relief and Rehabilitation Administration
Inter-American Coffee Board
Inter-American Institute of Agricultural Sciences
Inter-American Statistical Institute
International Bank for Reconstruction and Development
International Monetary Fund
Pan American Sanitary Bureau

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611), Public Law 181, 79th Congress, 1st Session (59 Stat. 533), Executive Order 9689 (11 F.R. 1265), and Public Law 375, 79th Congress, 2d Session, *It is hereby ordered,* That:

The above-mentioned public international organizations, together with any other such organizations hereafter designated by Executive order of the President, pursuant to the International Organizations Immunities Act, shall be

[1] 11 F.R. 7611, 7969.
[2] 59 Stat. 669.

accorded the same priority as nonprofit institutions for the acquisition of surplus real property. In case equal offers are received from such public international organizations and other offerors in the same priority group, the selection shall be made on the basis of need. The prices shall be the same as those applicable to other nonprofit institutions except that discounts shall not apply.

This order shall become effective August 6, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

AUGUST 2, 1946.

[F. R. Doc. 46-13551; Filed, Aug. 5, 1946; 10:36 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 20—GUARDIANSHIP AND LEGAL ADMINISTRATION

PART 21—ATTORNEYS AND AGENTS; RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

§ 20.5333 *Appeals, costs of, may be paid.* It is obvious that to be successful in an appeal the ground work must be well laid. In the first instance the petition, or other legal paper filed should show the exact basis whereon the action of the Veterans' Administration is predicated, and that such action is pursuant to the Federal law, and a function necessary to the discharge of the responsibility placed upon the Administrator by the Congress. If there be any State statute applicable, and this is true in many States, advantage should be taken thereof, and such statute should be relied upon as well as the Federal statute.

(a) It is obvious too that, from the point of view of establishing a precedent, an appeal should be taken in no case unless the facts are such as to bring the case strictly within the language of the act, i. e., the fiduciary is not "properly executing or has not properly executed the duties of his trust or has collected or paid, or is attempting to collect or pay fees, commissions, or allowances that are inequitable or in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward", and the court has arbitrarily allowed fees, commissions, or allowances that are inequitable or are in excess of those allowed by law for the duties performed or expenses incurred. The conditions adopted by the Veterans' Administration pursuant to section 21, World War Veterans' Act, 1924, as amended, are that commissions in excess of 5 percent of the income received during the accounting period are inequitable unless unusual services, i. e., services beyond those ordinarily required of a guardian, have been performed.

(b) No appeal to a district or other court where the trial is de novo will be filed and no costs in connection therewith authorized without prior approval of the chief attorney, branch office. No appeal to an appellate or supreme court will be filed and no costs in connection therewith authorized without prior approval of the solicitor—these to be referred by the chief attorney through the chief attorney, branch office, to the solicitor. In any case wherein the court overrules the petition or motion filed by the chief attorney, under the provisions of section 20, World War Veterans' Act, as amended, and an appeal is believed necessary to protect the estate of the Veterans' Administration beneficiary, the chief attorney will report all the facts to the chief attorney, branch office, and will make a definite recommendation regarding whether an appeal should be taken. The statement will show the termination of the appeal period, i. e., the date by which the appeal must be filed and the probable cost of the appeal.

(c) If after consideration of such report and recommendation, an appeal is authorized the chief attorney will immediately take the necessary action to perfect the appeal. In the event printing costs must be incurred in the preparation of the appeal, appropriate requisition should be submitted to the supply service, central office, as soon as the cost of printing is ascertained, in order that authority may be granted therefor, the cost of the printing being chargeable to central office allotment. In such cases, if appeal bond is required the chief attorney as the attorney for the Administrator of Veterans' Affairs is authorized to sign such bond for the Administrator. If time permits the chief attorney will supply the chief attorney, branch office, with the record (if same must be printed) and with the proposed brief before filing; otherwise copies will be forwarded immediately after filing. The chief attorney will maintain a docket on such cases.

GUARDIANSHIP POLICY REGARDING APPLICATION OF SECTION 3, PUBLIC NO 262, 74TH CONGRESS, TO CLAIMS OF CREDITORS AND TAXATION OF FUNDS IN THE HANDS OF GUARDIANS, CURATORS, CONSERVATORS, ETC.

§ 20.5339 *Claims of creditors.*

No change in (a).

(b) The statute makes no distinction between claims of creditors arising before or after the appointment of a fiduciary, or before or after adjudication of insanity. Proper expenses incurred by the fiduciary, after appointment, and in accordance with law are obviously not comprehended by the statute. The fiduciary should invoke the defense of this statute against all other claims of creditors including judgment creditors. If he does not do so, the chief attorney will raise the issue by proper plea. If, after being advised fully as to the facts and the law, the court allows payment of the claim or debt out of such funds, the chief attorney will protect the record for possible review of the court's decision and submit a report to the chief attorney, branch office, with a recommendation as to any further action considered advisable provided that if payment of the claim would be advantageous to the ward the chief attorney need not except to any order of the court so finding.

§ 20.5341 *Exemption of benefits paid under section 308, World War Adjusted Compensation Act, as amended, by Public No. 262.* Canceled August 5, 1946.

§ 20.5344 *Information required for checking accounts of managers.* In such cases the chief attorney will notify the manager when the account is required—i. e., either annually or at such time as the information is necessary for purposes of checking guardian's account. Form 4706b, fiduciary's accounting form, may be used for this purpose and will show all receipts and disbursements. The vouchers and receipts will not accompany the accounting but may be inspected by the chief attorney or a representative of his office, if necessary.

REMOVAL OF LEGAL CUSTODIANS AND GUARDIANS, ETC., AND DISCONTINUANCE OF AWARDS TO CHIEF OFFICERS OF INSTITUTIONS

Removal of Guardians

§ 20.5363 *Grounds for removal.* In cases falling under section 21 (2), World War Veterans' Act, as amended, the chief attorney is authorized to make such arrangements as will best conserve the interests of the ward, and which meet with the approval of the court, as stated in § 20.5330, and to have payments suspended pending adjustment.

(a) *Authority of chief attorney to suspend payments.* The chief attorney is empowered to authorize suspension in such cases, pending adjustment. The notice to suspend payments will be forwarded by him to the proper adjudication agency of the office making such payments, or to the proper service in the branch or central office. The chief attorney should submit separate requests for suspension of compensation or pension and for suspension of insurance.

(b) Pending decentralization of insurance payments in cases in which payments of compensation or pension are to be or are being made by a regional office and insurance payments are to be or are being made by a branch office or central office, and a guardian has been appointed, or action has been taken to remove a guardian and for the appointment of a successor, the evidence thereof should be immediately forwarded with Form 4704 to the regional office and at the same time a separate Form 4704 should be forwarded to the office paying the insurance, with a statement advising that the evidence of the appointment of the guardian or of the discharge of the former guardian and of the appointment of the successor guardian has been forwarded to the adjudication officer of the regional office. The purpose of this instruction is to obviate the necessity for duplicate copies of the aforementioned evidence and to permit payment of the different benefits by the offices or services concerned as soon as practicable. In cases in which evidence has been presented to the regional office of restoration of the veteran to competency and termination of the guardianship, information to that effect should be furnished at the same time to the insurance service

in cases in which insurance is also being paid.

§ 20.5364 *Chief attorney to request authority to remove guardian, and payment of court costs incident thereto, from Solicitor.* Canceled August 5, 1946.

§ 20.5365 *Authority of chief attorney to appear in State courts for the Administrator.* The chief attorney is authorized to appear in State courts as attorney for the Administrator of Veterans Affairs in any case comprehended by section 21 of the World War Veterans' Act, as amended (38 U. S. C. 450), and in compliance with the provisions thereof, and to represent the Administrator under section 509, Title III of Public Law 346, 78th Congress, as amended by Public Law 268, 79th Congress (38 U.S.C. 694j).

§ 20.5366 *Discharge of guardian upon restoration of sanity.* After the beneficiary has recovered and is rated sane, the discharge of a guardian and the restoration of full civil rights is dependent upon State statutes. Generally, no steps should be taken to have a guardian removed until the beneficiary has demonstrated to the satisfaction of the Veterans Administration that he has adjusted socially and industrially. Even in such case, unless the data are sufficient for the medical division to forecast that no relapse is to be expected, no action should be taken to have the guardian discharged. When it is determined that the guardian should be discharged, he will be notified to that effect.

§ 20.5369 *Authority of the chief attorney to order advertising or publication of notices in guardianship or commitment proceedings.* Whenever in applying the provisions of §§ 20.5224 to 20.5238, inclusive, or in any action necessary to cite a fiduciary to account, or in filing exceptions to an accounting, or in any proceeding incident to removal of a fiduciary instituted by the chief attorney, or any other guardianship proceeding, it is necessary to publish any notice or other advertising in any newspaper or other publication in complying with the provisions of the State laws or local procedure, authority to order such advertising or notice is hereby delegated to the chief attorney as the representative of the Administrator pursuant to section 7, Public No. 2, 73d Congress (38 U. S. C. 707).

§ 20.5580 *Photographing or photostating of adjusted service certificates.* Canceled August 5, 1946.

§ 20.5583 *Arrests; crime or offense committed on reservation.* There appears to be no specific statute providing punishment in a case where a patient of a Veterans' Administration hospital or home refuses to leave upon direction of the manager. Such refusal on the part of the patient would ordinarily, under the common law or the local police regulations or State statutes, be considered a trespass, breach of peace, or disorderly conduct, and being so would constitute an offense against the United States by reason of the terms of section 468, Title 18, United States Code. Procedure for causing the arrest of the offending patient may be under the provisions of section 208 of the World War Veterans' Act, 1924, as amended, provided the Administrator has designated a person or persons at a particular hospital or home to make arrests. Procedure for causing the arrest of the offending patient may also be under the provisions of section 591, Title 18, United States Code.

§ 20.5584 *Removal of patient charged with disorderly conduct.* Where such a situation arises at a hospital or home located without the jurisdiction of the District of Columbia, the manager, prior to causing the arrest of the patient who refuses to leave after having been duly discharged will first inquire of any of the officers mentioned in section 591, Title 18, United States Code, as to the usual mode of process against offenders in the local jurisdiction wherein the station is situated who are guilty of disorderly conduct, and then proceed accordingly. Every effort should be made to have the patient leave on his own initiative before resorting to this final and drastic measure of causing his removal by arrest.

FEES

Admission to Practice

§ 21.5629 *Recognition of attorneys and agents admitted to practice prior to December 1, 1936.* Canceled August 5, 1946.

§ 21.5630 *Policy relative to admission of attorneys or agents.* The policy of the Veterans' Administration precludes the admittance to practice as an attorney or agent, any person who is an officer or employee, appointive or elective, or any veteran, welfare, or State, county, or municipal organization engaged in assisting claimants in presenting claims before the Veterans' Administration without fee or emolument. Furthermore, it is contrary to the policy to permit an attorney or agent to transact claims business from or at an office from or at which a veteran or welfare organization, or an agency of a State or other political subdivision, carries on its work incident to assisting claimants in presenting claims before the Veterans' Administration or to use the stationery of such organization or agency in transacting his claims business.

§ 21.5631 *Requisites for applicants to practice as agents or attorneys.* Applicants for admission to practice as attorneys will be presumed to have such knowledge of the law and regulations as to qualify them to render substantial service and may be admitted as a recognized attorney by the chief attorney of the regional office in whose area he is engaged in the practice of law if his application shows he meets the requirements of § 21.5632.

§ 21.5632 *Admission to practice: attorneys.* Any person of good moral character and of good repute who is an attorney at law in good standing and a citizen of the United States, or who has declared his intention to become such a citizen, may be admitted to practice as an attorney, if not prohibited by law, and represent claimants before the Veterans Administration, by presenting for that privilege, to the manager or to the deputy administrator, a properly executed application on the form prescribed by the Administrator (V. A. Form 3186).

§ 21.5633 *Admission to practice; agents.* Any competent person of good moral character and of good repute who is a citizen of the United States, or who has declared his intention to become such a citizen and who is not engaged in the practice of law, may be admitted to practice as an agent, if not prohibited by law, and represent claimants before the Veterans Administration by presenting to the Administrator of Veterans Affairs, Washington, D. C., a properly executed application on the form prescribed by the Administrator (V. A. Form 3187).

§ 21.5634 *Notification of appointment of attorney.* When an attorney has been admitted a 3 x 5 card will be prepared showing his name, address and date of admission. Copies of this card will be forwarded to (1) the adjudication officer of the regional office in which he is admitted: (2) the adjudication officer of each regional office in the same State; (3) the director of the claims service of the branch office for that area, and (4) to any other office in which the attorney requests that his admission be recorded.

§ 21.5641 *Validity of power of attorney.* A power of attorney, in order to be recognized as good and valid must be signed by the claimant or his guardian and be acknowledged before an officer authorized to administer oaths for general purposes or before an employee of the Veterans' Administration to whom authority to administer oaths has been delegated.

(R.S. 471, sec. 5, 43 Stat. 608, sec. 1, 46 Stat. 991, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, secs. 201–203, 49 Stat. 2032; 38 U.S.C. 2, 11, 11a, 426, 707, 38 U.S.C. Supp. 102–104)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

AUGUST 5, 1946.

[F. R. Doc. 46–13566; Filed Aug. 5, 1946; 11:38 a. m.]

PART 25—MEDICAL

REIMBURSEMENT OR PAYMENT FOR EXPENSES OF UNAUTHORIZED MEDICAL SERVICES

Section 25.6141 (c) appearing in F.R. Doc. 46–11919; filed July 9, 1946, is corrected as follows:

§ 25.6141 *Classes of claims comprehended.* * * *

(c) As to unauthorized treatment rendered subsequent to March 19, 1933, the eligibility criteria defined in paragraph (b) (1), (2), and (3) of this section will apply; and, in addition, it must be shown by a decision of an adjudicative agency that the disability from the disease or injury for which treatment had been rendered was service-connected, or determined by the medical officers designated in § 25.6140 (b) as aggravating such service-connected disability.

(Sec. 1, 44 Stat. 826, secs. 1–4, 45 Stat. 947, 948, secs. 1–3, 46 Stat. 496, secs. 6,

7, 1, 29, 48 Stat. 9, 301, 525, 49 Stat. 724, 729; 38 U.S.C. 483a, 612, 621, 622, 662, 664, 706, 707, and Supp.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

JULY 9, 1946.

[F. R. Doc. 46-13565; Filed, Aug. 5, 1946; 11:38 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 22—TREATMENT OF MAIL MATTER RECEIVED FROM FOREIGN COUNTRIES INVOLVING THE CUSTOMS REVENUE

JOINT REGULATIONS ADOPTED BY SECRETARY OF TREASURY AND POSTMASTER GENERAL

Part 22 of Title 39, Code of Federal Regulations, is hereby amended as follows:

1. There is inserted after § 22.15 a new § 22.15a, reading as follows:

§ 22.15a *Cigars, cigarettes, cheroots, other tobacco products, oleomargarine, and playing cards; requirement that internal-revenue stamps be affixed to immediate containers and the stamps cancelled before delivery.* Customs officers shall fill out, sign, and attach to mail entries covering cigars, cigarettes, cheroots, other tobacco products, oleomargarine, or playing cards internal-revenue Form 923, request to sell internal-revenue stamps, and customs Form 3473, letter to postmaster relative to attaching internal-revenue stamps, when internal-revenue stamps are required. Whenever the merchandise is addressed for delivery at the post office where it is examined and customs Form 3473 is not required to insure the taking of the action described therein, Form 3473 need not be prepared. In accordance with the action described in customs Form 3473, the postmaster shall furnish the addressee with the request to sell internal-revenue stamps (internal-revenue Form 923) and shall call upon such addressee to secure, affix to the immediate containers of the merchandise, and cancel the required internal-revenue stamps, as conditions for the delivery of the mail article or articles. The postmaster or his representative shall indicate on the original of the mail entry over his signature the fact that the internal-revenue stamps have been affixed.

2. Section 22.16 is amended by adding a new paragraph (g) reading as follows:

(g) Before an article believed to be conditionally free of duty, as indicated by the blank form of affidavit for free entry and customs Form 3433, Notice to Postmaster Relative to Mail Inmportations Conditionally Free of Duty, attached thereto, is delivered to the addressee free of duty, the postmaster shall require the affidavit to be executed by the addressee. The postmaster shall endorse a report of his action on the mail entry, and shall return the affidavit, together with the mail entry, to the collector of customs where the entry was issued.

(Sec. 498, 46 Stat. 728, R.S. 161, sec. 304, 309, 42 Stat. 24; 19 U.S.C. 1498, 5 U.S.C. 22, 369)

[SEAL] JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.
J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 46-13527; Filed, Aug. 2, 1946; 10:11 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

PORTABLE-MOBILE INSTALLATIONS IN VEHICLES NOT UNDER CONTROL OF LICENSEE

The Commission in meeting on July 25, 1946, effective immediately, amended § 10.115 *Portable-mobile installations in private vehicles* to read as follows:

§ 10.115 *Portable-mobile installations in vehicles not under the control of the licensee.* A portable-mobile radio station licensed in the emergency radio service may not be installed or maintained in a vehicle, aircraft, or vessel, which is not at all times controlled exclusively by the licensee, unless precautions have been taken to eliminate effectively the possibility of the licensed transmitter being operated during the period that the vehicle, aircraft, or vessel is not under the control of the licensee.

(Sec. 310 (b), 48 Stat. 1086; 47 U.S.C. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-13508; Filed, Aug. 2, 1946; 1:26 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[1st Rev. S. O. 201, Amdt. 1]

PART 95—CAR SERVICE

REFRIGERATOR CARS; USE FOR TRANSPORTING ICE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of July A. D. 1946.

Upon further consideration of the provisions of First Revised Service Order No. 201 (9 F.R. 5078), be, and it is hereby amended by adding the following paragraph (f) to § 95.338, *Refrigerator cars; use for transporting ice:*

(f) This order, as amended, shall expire at 11:59 p. m., November 17, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., August 17, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13559; Filed, Aug. 5, 1946; 11:34 a. m.]

Chapter II—Office of Defense Transportation

[Supp. Administrative Order ODT 1-5C]

DELEGATION OF AUTHORITY TO ASSISTANT DIRECTOR, RAILWAY TRANSPORT DEPARTMENT

Pursuant to § 503.5, paragraph (b) of Administrative Order ODT 1, as amended (8 F.R. 6001; 9 F.R. 4615):

1. J. P. Kiernan, Assistant Director, Railway Transport Department, Office of Defense Transportation, is hereby authorized to execute and issue in his discretion, subject to such terms and conditions as he may prescribe, and in the name of the Director of the Office of Defense Transportation, the special permits contemplated by § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), and the special permits contemplated by General Order ODT 1, Revised (11 F.R. 8228), or as such orders may be hereafter amended, revised, or reissued.

2. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director of the Office of Defense Transportation and the Director, Railway Transport Department, Office of Defense Transportation.

Supplementary Administrative Order ODT 1-5B (11 F.R. 6143), is hereby revoked.

Issued at Washington, D. C., as of the 5th day of August 1946.

A. H. GASS,
Director,
Railway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 46-13558; Filed, Aug. 5, 1946; 11:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Land Management.

WASHINGTON

CLASSIFICATION ORDER

JULY 22, 1946.

1. Pursuant to Order No. 2180 of the Secretary of the Interior, dated April 8, 1946, I hereby classify under the small

tract act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U.S.C. sec. 682a), for leasing, as hereinafter indicated, the following described public lands in the Spokane, Washington, land district, embracing 198.96 acres:

SMALL TRACT CLASSIFICATION NO. 89

WASHINGTON NO. 1

For All of the Purposes Mentioned in the Act Except Business

Washington Meridian

T. 21 N., R. 26 E.,
Sec. 2, lot 3, SE¼NW¼ and N½SW¼.

For Business and for Combination Home and Business Purposes

T. 21 N., R. 26 E.,
Sec. 2, SW¼SW¼.

2. This land is located in Grant County, Washington, about a mile north of Ephrata and approximately two and a half miles south of Soap Lake. These two towns are connected by State Highway No. 7 which bisects this land diagonally. Another paved road runs along the west boundary of the section. A line of the Great Northern Railroad also runs through the land.

3. There are no surface water supplies on this land. However, it appears that there is an adequate water supply available at a depth which would allow its development for domestic purposes.

4. Pursuant to § 257.8 of the Code of Federal Regulations (43 CFR part 257, Cum. Sup., as amended by Circ. 1613, February 27, 1946), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 9:10 a. m. on March 22, 1946, and (b) are for the type of site for which the land subject thereto has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

5. As to the land not covered by the applications referred to in paragraph 4, this order shall not become effective to permit the leasing of such land under the small tract of June 1, 1938, cited above, until 10:00 a. m. on September 23, 1946. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on September 23, 1946, to close of business on December 21, 1946, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on or after 9:10 a. m. on March 22, 1946, together with those presented at 10:00 a. m. on September 3, 1946, shall be treated as simultaneously filed.

(c) *Date for nonpreference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December 24, 1946, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous nonpreference-right filing.* Applications under the small tract act by the general public filed on or after 9:10 a. m. on March 22, 1946, together with those presented at 10:00 a. m. on December 4, 1946, shall be treated as simultaneously filed.

6. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

7. All applications for the lands referred to in paragraphs 4 and 5, which shall be filed in the District Land Office at Spokane, Washington, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

8. Lessees under the small tract act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the Acting Director, Bureau of Land Management, improvements which under the circumstances are presentable, substantial, and appropriate for the use for which the lease is issued. Leases will be for a period of five years, at an annual rental of $5 for home, cabin, camp, health, convalescent, and recreational sites, payable yearly in advance. The rental for business and for combination home and business sites will be in accordance with a schedule of graduated charges based on gross income, with a minimum charge of $20, payable yearly in advance, the remainder, if any, to be paid within 30 days after each yearly anniversary of the lease.

9. All of the land, except the SW¼SW¼ sec. 22, will be leased in tracts of 2½ acres each; the SW¼SW¼ sec. 22, classified for business and for combination home and business, will be leased in tracts of 1¼ acres each. Preference right leases referred to in paragraph 4 will be issued for the land described in the application, irrespective of the direction or dimensions of the tract, provided the area applied for is made to conform to the area specified above. All of the land, except the SW¼SW¼ sec. 22, covered by applications filed subsequent to 9:10 a. m. on March 22, 1946, will be leased in tracts with dimensions of approximately 330 by 330 feet; the SW¼SW¼ sec. 22 will be leased in tracts with dimensions of approximately 165 by 330 feet, the longest dimensions extending east and west. Where only one 2½-acre tract in a 5-acre subdivision, or only one 1¼-acre tract in a 2½-acre subdivision, is embraced in a preference right application, however, the Acting Manager is authorized to accept an application for the remaining 2½-acre tract or 1¼-acre tract, as the case may be, extending in the same direction so as to fill out the subdivision, notwithstanding the direction of the tract may be contrary to that specified above.

10. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Spokane 8, Washington.

FRED W. JOHNSON,
Acting Director.

[F. R. Doc. 46–13549; Filed, Aug. 5, 1946; 9:47 a. m.]

Office of the Secretary.

[Order No. 2200–B]

BITUMINOUS COAL MINES

ORDER TAKING POSSESSION

Whereas by Executive order of the President of the United States No. 9728 dated May 21, 1946 (11 F.R 5593) I was authorized to take possession of any and all coal mines producing bituminous coal as a result of existing or threatened strikes or other labor disturbances; and

Whereas by my Orders No. 2200 and No. 2200–A dated May 21st and May 27th, 1946, respectively, I took possession of certain coal mines and related property; and

Whereas, by inadvertence and unintentional omissions, certain coal mines producing bituminous coal were not included in or covered by my said Orders No. 2200 and No. 2200–A and possession thereof by the United States has not been effected; and

Whereas the causes for the existing or threatened strikes or labor disturbances which prevailed at the time said Executive order of the President was issued still prevail at said mines possession of which was not taken through said inadvertence and omission;

Now, therefore, by virtue of the authority vested in me by the President of the United States by Executive Order No. 9728 dated May 21, 1946 (11 F.R. 5593), and having determined that a strike or work stoppage is threatened at each and all of the coal mines listed in Appendix A, attached hereto and made a part hereof, I do hereby take possession of each and all such coal mines, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines.

The Revised Regulations for the Operation of Coal Mines under Government Control, as amended (11 F.R. 7567), heretofore issued by the Coal Mines Administrator, and such revisions thereof

as may from time to time be issued, shall be applicable to the mines possession of which is taken by this order.

The president of each of the mining companies operating the mines listed in Appendix A (or if there is no president, its chief executive officer) is hereby, and until further notice, designated Operating Manager for the United States for each such mine. Unless advice to the contrary is received within ten days, the aforesaid president (or chief executive officer) shall be deemed to have accepted such designation. As Operating Manager for the United States, he is authorized and directed to operate any and all such mines in accordance with the aforementioned Regulations for the Operation of Coal Mines under Government Control, as amended, and such revisions thereof as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines and for the production, distribution and sale of their products.

The Operating Manager for the United States shall forthwith fly the flag of the United States at each of the mining properties listed in Appendix A and shall conspicuously display at each of such properties copies of a poster to be supplied by the Department of the Interior and reading

NOTICE

In accordance with the Executive Order of the President of the United States, Government possession of this coal mine has been taken by

Order of the Secretary of the Interior.

J. A. KRUG,
Secretary of the Interior.

This order shall become effective at 12:01 a. m., August 5, 1946.

J. A. KRUG,
Secretary of the Interior.

AUGUST 2, 1946.

APPENDIX A

Company, Address and District

Liller & Dropleman Coal Co., Inc., Elk Garden, W. Va.; 1.
Pine Hill Coal Co., 722 Washington St., Cumberland, Md.; 1.
Thomas Engineering Co., c/o San O. Polino, Elkins, W. Va.; 1.
Barnes Coal Co., Masontown, Pa.: 2.
Boliver Fuel Co., Boliver, Pa.; 2.
Clickovich & Savage Coal Co., 922 Hill St., Belle Vernon, Pa.; 2.
Dohm Coal Co., Lemont Furnace, Pa.; 2.
Ebrama Coal Co., Milton Ave., General Deilivery, Uniontown, Pa.; 2.
H. H. & N. Coal Co., 807 Fairlow Ave., Morgantown, Pa.; 2.
Henry Matthews, R. D. No. 1, Lemont Furnace, Pa.; 2.
Mazzaro Coal Co., 181 McCoy Road, McKee Rocks, Pa.; 2.
Mid Atlantic Coal Co., 601 Plaza Bldg., Pittsburgh, Pa.; 2.
Monongahela Coal Co., New Eagle, Pa.; 2.
Montour Valley Coal Co., Adam Maida, Box 141, Oakdale, Pa.; 2.
Nard Engineering & Mining Co., 947 Butler St., Etna, Pa.; 2.
Nobel & Gray Coal Co., R. D. No. 4, Box 181-A, Uniontown, Pa.; 2.
Peter Novotny, 1385 Fourth Ave., New Kensington, Pa.; 2.
Alex E. Paris Contr. Co., Studa, Rea, Pa.; 2.
Pongrance Coal Co., Russellton, Pa.; 2.
Jess L. Price, R. D. No. 12, Point Marion, Pa.; 2.
Reiland Coal Co., Clinton, Pa.; 2.
Mike Starvaggi Coal Co., Weirton, W. Va; 2.
Sims Lumber Co., R. D. No. 4, Washington, Pa.; 2.
Shady Lane Coal Co., 212 Port St. Scottdale, Pa., 2.
The Utah Construction Co., 719 Oliver Bldg., Pittsburgh, Pa.; 2.
John Vaslosky, Box 29-E, R. D. No. 2, Smithfield, Pa.; 2.
Boothsville Coals, Inc., Box 147, Fairmont, W. Va.; 3.
Crafton Coal Co., Philippi, W. Va.; 3.
Fox Coal Co. Mine No. 3, Box 353, Morgantown, W. Va.; 3.
Gibson Coal Co., R. No. 1, Watson, W. Va.; 3.
Jaynes Mine, Fairmont, W. Va.; 3
Oliverio Coal Co., Station C., Box 27, Clarksburg, W. Va.; 3.
Rodriquez & Son Coal Co., 209 Warley Ave., Clarksburg, W. Va.; 3.
B. H. Swaney, Inc., 702 Union Bank Bldg., Clarksburg, W. Va., 3.
Wilson & Ingram Coal Co, St. Marys, W. Va.; 3.
Amesville Coal Co., Amesville, Ohio; 4.
Brentwood Coal & Coke Co., Albert Fleix, 2375 Valera Ave., Pittsburgh 10, Pa.; 4.
Hickory Coal Co., R. F. D. No. 1, New Philadelphia, Ohio; 4
Kenwood Mining Company, Cadiz, Ohio; 4.
L & M Coal Company, Nelsonville, Ohio; 4.
Mystic Mines, New Lexington, Ohio; 4.
Nole & Steele Coal Co., Fairpoint, Ohio; 4.
Pugh & Tiller, Lancaster, Pa.; 4.
Paul Varga & Sons, c/o Harry Iles Coal Co., 122 North Market St., St. Clairsville, Ohio; 4.
Buffalo Coal Co., Iaeger, W. Va.; 7.
Evans Po. Coal Co., Panther, W. Va.; 7.
Garden Cap Coal Co, Hanover, W. Va.; 7.
Hampton Coal Co., Williamson, W. Va.; 7.
Holley Coal Co., Ottawa, W. Va.; 7.
Muzzle Coal Co., Hanover, W. Va.; 7.
Peter Grove Coal Co., 507 Madison, Peytona, W. Va.; 7.
Raven Coals, Inc., Raven, Va.; 7.
Paul Smith & Kimball Mounts, Matewan, W. Va.; 7.
Call Fuel Company, Canabrake, W. Va.; 8.
Apex Coal Company, Mortons Gap, Ky.; 9.
Nally & Ballard, P. O. Box 331, Bardstown, Ky.; 9.
Gillespie Coal Company, Brazil, Ind.; 11.
Somerville Coal Company, Somerville, Ind.; 11.
Averitt Sanders Coal Co., Dora, Ala.; 13.
John Calvert, R. 1, Trafford, Ala.; 13.
Franklin & Tucker, Sumiton, Ala.; 13.
J. C. Golden, Dora, Ala.; 13.
Moss & Thornton, P. O. Box 577, Jasper, Ala.; 13.
Bernice Anthracite Coal Co., Russellville, Ark.; 14.
Mullin Coal Co., McAlester, Okla.; 14.
Biava Mine Co., Box 247, Gallup, N. Mex.; 17.
Caldirola Coal Co., Florence, Colo.; 17.
Dunn Coal Co., Box 272, Hayden, Colo.; 17.
Rusty Coal Co., Steamboat Springs, Colo.; 17.
Vanadium Corp. of America, Uravan, Colo.; 17.
Pacific Supply Cooperative, Rains, Utah; 20.

[F. R. Doc. 46-13556; Filed, Aug. 5, 1946; 11:16 a. m.]

AGRICULTURE DEPARTMENT.

Production and Marketing Administration.

[Docket No. AO 33-A 11]

MILK HANDLING IN FORT WAYNE, IND., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO MARKETING AGREEMENT, AND TO ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended, (7 CFR Cum. Supp. 900.1 et seq.; 10 F.R. 11791; 11 F.R. 7737), notice is hereby given of a public hearing to be held in the Chamber of Commerce Auditorium, Fort Wayne, Indiana, beginning at 9:00 a. m., c. s. t., August 20, 1946, with respect to proposed amendments to the marketing agreement, and to Order No. 32, as amended, (7 CFR 1943 Supp., 932.0 et seq.), regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the proposed amendments which are hereinafter set forth.

The following amendments have been proposed by the Wayne Cooperative Milk Producers, Inc., Fort Wayne, Indiana.

Delete the provisions of §§ 932.1 through 932.13 and substitute therefor the following:

§ 932.1 *Definitions.* The following terms mean:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C., 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary.

(c) "Department of Agriculture" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in § 932.5.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Fort Wayne, Indiana, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of Fort Wayne, Indiana, and the territory located within 3 miles of the corporate limits of Fort Wayne, Indiana.

(f) "Delivery period" means the calendar month, or the portion thereof, during which the provisions hereof are effective.

(g) "Cooperative association" means any cooperative marketing association which the Secretary determines, after application by such association:

(1) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(2) To have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its products for its members.

(h) "Producer" means a person, who, under a dairy farm permit issued by the appropriate health authority in the marketing area, produces milk which is received at a fluid milk plant or which is caused by a cooperative association to be diverted from a fluid milk plant to any other plant not a fluid milk plant, for the account of such cooperative association.

(i) "Producer milk" means milk produced by one or more producers under the conditions set forth in (h) of this section.

(j) "Producer-handler" means any person who produces milk but receives no milk from other dairy farmers, and who disposes of Class I milk in the marketing area other than to a handler.

(k) "Handler" means (1) a person who operates a fluid milk plant, and (2) a cooperative association with respect to the milk of any person who, under a dairy farm permit issued by the appropriate health authority in the marketing area, produces milk which is a part of the dairy farm supply of a fluid milk plant, but which is caused by such cooperative association to be diverted from a fluid milk plant to any other plant not a fluid milk plant for the account of such cooperative association. Milk so diverted shall be deemed to have been received by such cooperative association. With respect to milk caused by a handler to be delivered directly from a producer's farm to another handler, the handler to be considered as receiving such milk from such producer shall be determined by written agreement between the two handlers filed with the market administrator within 5 days after the end of the delivery period during which such delivery took place, or in the absence of such an agreement, shall be determined by the market administrator.

(l) "Nonhandler" means any person who is not a handler but who operates a milk manufacturing or processing plant.

(m) "Fluid milk plant" means the premises and the portions of the building and facilities used in the receipt and processing or packaging of milk, all, or a portion of which is disposed of from such plant within the delivery period as Class I milk in the marketing area.

(n) "Nonfluid milk plant" means any other plant not specified under (m).

(o) "Other source milk" means all skim milk or butterfat not derived from producer milk but (1) contained in milk, skim milk, or cream, or (2) used to produce any milk product.

§ 932.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal by the Secretary.

(b) *Powers.* The market administrator shall have the following powers with respect to this order:

(1) To administer its terms and provisions;

(2) To receive, investigate, and report to the Secretary complaints of violations;

(3) To make rules and regulations to effectuate its terms and provisions; and

(4) To recommend amendments to the Secretary.

(c) *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including, but not limited to, the following:

(1) Within 30 days following the date on which he enters upon his duties execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by § 932.8:

(i) The cost of his bond and of the bonds of his employees.

(ii) His own compensation, and

(iii) All other expenses, except those incurred under § 932.9, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(6) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person, who, within 10 days after the day upon which he is required to perform such acts, has not made (i) reports pursuant to § 932.3, or (ii) payments pursuant to §§ 932.7, 932.8, 932.9, or 932.10;

(7) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(8) On or before the 12th day after the end of each delivery period; report to each cooperative association for the preceding delivery period, with respect to each handler, the utilization, on a pro rata basis, of producer milk, payment for which is to be made to such cooperative association pursuant to § 932.7 (a) (2);

(9) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any person upon whose utilization the classification of skim milk and butterfat for such handler depends; and

(10) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(i) On or before the 5th day after the end of such delivery period, the minimum class prices for skim milk and butterfat computed pursuant to § 932.5; and

(ii) On or before the 10th day after the end of such delivery period, the uniform price computed pursuant to § 932.6 (b) and the butterfat differential computed pursuant to § 932.7 (c).

§ 932.3 *Reports, records, and facilities*—(a) *Delivery period reports of receipts and utilization.* On or before the 5th day after the end of each delivery period, each handler, except as otherwise provided in (b) (2) of this section, shall report to the market administrator with respect to all milk received from producers, from other handlers, and all other source milk received during the delivery period, in the detail and on forms prescribed by the latter: (1) The quantities of butterfat and quantities of skim milk contained in (or used in the production of) such receipts, and their source; (2) the utilization of such receipts; and (3) such other information with respect to such receipts and utilization as the market administrator may prescribe.

(b) *Other reports.* (1) On or before the day a handler receives other source milk, he shall report his intention to receive such milk.

(2) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(3) On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator such handler's producer pay roll for the preceding delivery period, which shall show (i) the pounds of milk and the percentage of butterfat contained therein received from each producer; (ii) the amounts and dates of payments to each producer or cooperative association, and (iii) the nature and amount of each deduction or charge involved in the payments referred to in (ii) of this subparagraph.

(c) *Records and facilities.* Each handler shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify reports, or to ascertain the correct information with respect to (1) the receipts and utilization of all skim milk and butterfat received; (2) the weights and tests for butterfat and for other contents of all milk and milk products handled; and (3) payments to producers and cooperative associations.

§ 932.4 *Classification*—(a) *Skim milk and butterfat to be classified.* Skim milk and butterfat contained in (1) milk, skim milk, and cream, or used to produce milk products, received from all sources by each handler at a fluid milk plant, and (2) producer milk received within the delivery period in the manner described in § 932.1 (k) (2) at any other plant shall be classified separately (as skim milk and butterfat) pursuant to the following provisions of this section:

(b) The classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat:

(i) Disposed of in fluid form as milk, skim milk, or buttermilk; and flavored milk or flavored milk drink, except for livestock feed;

(ii) Transferred as any item included in (i) of this subparagraph from a handler's plant to (*a*) the plant of a producer-handler, or (*b*) a nonhandler's plant located more than 100 miles from the City Hall in Fort Wayne, Indiana, by shortest highway distance as determined by the market administrator;

(iii) Accounted for as any item not listed under (i) of this subparagraph or as Class II milk or Class III milk; or

(iv) Such shrinkage on milk received from producers computed pursuant to (c) of this section which is in excess of 2 percent of such receipts.

(2) Class II milk shall be all skim milk and butterfat:

(i) Disposed of in sweet or sour cream; any mixture of cream and milk (or skim milk), disposed of in fluid form, which contains 6 percent or more of butterfat; and eggnog; and

(ii) Transferred as any item included in (i) of this subparagraph from a handler's plant to (*a*) the plant of a producer-handler, or (*b*) a nonhandler's plant located more than 100 miles from the City Hall in Fort Wayne, Indiana, by shortest highway distance, as determined by the market administrator.

(3) Class III milk shall be all skim milk and butterfat:

(i) Used to produce, in a fluid milk plant, or a non-fluid milk plant, within 100 miles from the City Hall of Ft. Wayne, Indiana, ice cream, imitation ice cream, and other frozen desserts and mixes for similar products (liquid or powdered); condensed skim milk or whole milk (sweetened or unsweetened); evaporated milk; storage cream; butter (including starter); cheese (including cottage cheese); casein; nonfat dry milk solids; dry whole milk; condensed or dry buttermilk; whey; and skim milk or buttermilk disposed of for livestock feed;

(ii) In actual shrinkage on producer milk computed pursuant to (c) of this section, but not in excess of 2 percent of such receipts; and

(iii) In actual shrinkage of other source milk computed pursuant to (c) of this section.

(c) *Shrinkage.* The market administrator shall determine the shrinkage of skim milk and butterfat, respectively, in producer milk and in other source milk received in the following manner:

(1) Compute the total shrinkage of skim milk and butterfat, respectively, by:

(i) Combining the shrinkage thereof for all fluid milk plants operated by the handler; and

(ii) Combining in a separate sum the shrinkage thereof for all other plants operated by him to which any skim milk or butterfat has been transferred from any of his fluid milk plants;

(2) Prorate the shrinkage of skim milk and butterfat, respectively, computed pursuant to (1) (ii) of this paragraph, in such plants between (i) skim milk or butterfat, respectively, transferred from any of his fluid milk plants, and (ii) skim milk or butterfat, respectively, received from all other sources;

(3) Add to the shrinkage of skim milk and butterfat, respectively, computed pursuant to (1) (i) of this paragraph, the shrinkage on skim milk or butterfat, respectively, transferred from the handler's fluid milk plants to his other plants computed pursuant to (2) of this paragraph; and

(4) Prorate the total shrinkage of skim milk and butterfat, respectively, computed pursuant to (3) of this paragraph between that in producer milk and in other source milk at his fluid milk plants, after deducting from the total receipts therein the receipts from fluid milk plants other than his own.

(d) *Interhandler and nonhandler transfers.* Skim milk or butterfat transferred from a handler's fluid milk plant, or skim milk or butterfat caused to be diverted by a cooperative association, to any other plant (except to a plant described in (b) (1) (ii) and (b) (2) (ii) of this section) shall be classified as follows:

(1) As Class I milk, if so transferred as any item listed in (b) (1) (i) of this section and as Class II milk if so transferred as any item listed in (b) (2) (i) of this section to another handler unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period within which such transfer was made: *Provided,* That the classification of such skim milk or butterfat shall be subject to the allocation of skim milk and butterfat in the sequence set forth in (g) and (h) of this section;

(2) As Class I milk, if so transferred as any item listed in (b) (1) (i) of this section and as Class II milk if so transferred as any item listed in (b) (2) (i) of this section as to a nonhandler's plant unless (i) utilization is mutually indicated in writing to the market administrator by both the buyer and seller on or before the 5th day after the end of the delivery period within which such transfer was made, (ii) the buyer maintains books and records showing utilization of all skim milk and butterfat at his plant which are made available to the market administrator for audit, and (iii) such buyer's plant had actually used not less than an equivalent amount of skim milk or butterfat in the use indicated in such statement: *Provided,* That if such nonhandler's plant had not actually used an equivalent amount of skim milk or butterfat in such indicated use, the remaining pounds shall be classified in the next lowest-priced available class of utilization as if the classes of utilization set forth in (b) of this section were applicable to such nonhandler's plant.

(e) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(2) Any skim milk or butterfat classified (except that classified pursuant to (b) (1) (i) and (b) (2) (i) of this section) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(f) *Computation of skim milk and butterfat in each class.* For each delivery period the market administrator shall correct for mathematical and for obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, and Class III milk for such handler.

(g) *Allocation of butterfat classified.* The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to producer milk;

(1) Subtract from the total pounds of butterfat in class III milk the pounds of butterfat shrinkage allowed pursuant to (b) (3) (ii) of this section;

(2) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced utilization, the pounds of butterfat in other source milk;

(3) Subtract from the remaining pounds of butterfat in each class, the pounds of butterfat received from other handlers in such classes pursuant to (d) of this section; and

(4) Add to the remaining pounds of butterfat in Class III milk, the pounds subtracted pursuant to (1) of this paragraph; or if the remaining pounds of butterfat in all classes exceed the pounds of butterfat in milk received from producers, subtract such excess from the remaining pounds in each class, in series beginning with the lowest-priced utilization.

(h) *Allocation of skim milk classified.* Allocate the pounds of skim milk in each class to producer milk in a manner similar to that prescribed for butterfat in (g) of this section.

(i) *Determination of producer's milk in each class.* Add the pounds of butterfat and the pounds of skim milk allocated to producer milk in each class, respectively, as computed pursuant to (g) and (h) of this section, and determine the percentage of butterfat contained in each class.

§ 932.5 *Minimum prices*—(a) *Class I milk price.* Subject to the provisions of (d) and (e) of this section, the minimum price per hundredweight to be paid by each handler, f. o. b. the marketing area, for milk of 4 percent butterfat content received from producers or from a cooperative association which is classified as Class I milk, shall be determined by the market administrator by adding to the Class III milk price computed pursuant to (c) of this section the following amounts for the delivery periods indicated:

Delivery period:	*Amount*
April, May, and June	$0.60
October, November, and December	1.00
All others	.80

(b) *Class II milk price.* Subject to the provisions of (d) and (e) of this section, the minimum price per hundredweight to be paid by each handler, f. o. b. the marketing area, for milk of 4 percent butterfat content received from producers or from a cooperative association which is classified as Class II milk, shall be determined by the market administrator by adding to the Class III milk price computed pursuant to (c) of this section the following amounts for the delivery periods indicated:

Delivery period:	*Amount*
April, May, and June	$0.54
October, November, and December	.90
All others	.72

(c) *Class III milk price.* Subject to the provisions of (d) and (e) of this section, the minimum price per hundredweight to be paid by each handler, f. o. b. the marketing area, for milk of 4 percent butterfat content received from producers or from a cooperative association, which is classified as Class III milk, shall

be the highest of the prices per hundredweight for milk of 4 percent butterfat content pursuant to (1), (2), and (3) of this paragraph, as determined by the market administrator:

(1) The average of the basic (or field) prices ascertained to have been paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture by the companies indicated below, and add 5 cents:

Present Operator and Location

Defiance Milk Products Co., Defiance, Ohio.
Pet Milk Co., Angola, Ind.
Pet Milk Co., Garrett, Ind.
Kraft-Phenix Cheese Corp., Kendallville, Ind.

(2) The price per hundredweight computed by the market administrator as follows:

(i) Multiply by six the average wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture for the delivery period;

(ii) Add an amount equal to 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by seven, and add 30 percent thereof, and then multiply by four.

(3) The price per hundredweight computed by the market administrator by adding together the plus values pursuant to (i) and (ii) of this subparagraph;

(i) From the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture, for the delivery period, subtract three cents, add 20 percent thereof, and then multiply by 4.0; and

(ii) From the average of the carlot prices per pound of nonfat dry milk solids for human consumption, spray and roller process, f. o. b. manufacturing plants, as published for the Chicago area for the delivery period by the Department of Agriculture, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.96.

(d) *Butterfat differentials to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization for each one-tenth of one percent that such weighted average butterfat test is above or below, respectively, 4 percent, an amount computed by the market administrator for each class of utilization as follows:

(1) *Class I milk.* Multiply by 1.4 the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, and divide the result by 10: *Provided*, That on Class I milk testing less than 4%, the butterfat differential deduction shall not be in excess of three-tenths of one percent, with the exception of flavored milk or flavored milk drinks, buttermilk, and skim milk.

(2) *Class II milk.* Multiply by 1.3 the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, and divide the result by 10; and

(3) *Class III milk.* Multiply by 1.2 the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, and divide the result by 10.

(e) *Emergency price provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining minimum class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 932.6 *Handler's obligation and uniform price*—(a) *Value of milk.* (1) The value of milk of each handler for each delivery period shall be a sum of money computed by the market administrator by multiplying by the respective class prices, subject to the respective handler butterfat differentials, the amounts in each class computed pursuant to § 932.4 (i), and adding together such amounts: *Provided*, That if a handler, after the subtraction of receipts from other handlers and from all other sources except producers has disposed of skim milk or butterfat in excess of the skim milk or butterfat which on the basis of his report, has been credited to his producers as having been received from them, the market administrator shall add an amount equal to the value of such skim milk or butterfat at the applicable price for the class from which such skim milk or butterfat was subtracted pursuant to (g) (4) and (h) of § 932.4.

(2) If a handler received milk from sources other than producers or handlers, there shall be added to the value of milk determined for such handler pursuant to (1) of this paragraph a further amount under (iii) of this paragraph computed as follows: (i) multiply the hundredweight of such milk by the price applicable to the class in which it was disposed, subject to the handler butterfat differential pursuant to § 932.5 (d); (ii) multiply the hundredweight of such milk by the Class III price, subject to the handler butterfat differential pursuant to § 932.5 (d); (iii) subtract the values thus arrived at (ii) from the value arrived at (i).

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute, with respect to milk received by handlers from producers a "uniform price" per hundredweight for milk of 4.0 percent butterfat content, f. o. b., the market area, by:

(1) Combining into one total the values computed pursuant to (a) of this section for all handlers who reported pursuant to § 932.3 (a) for such delivery period except those in default in payments, required pursuant to § 932.7 for the preceding delivery period;

(2) Adding an amount representing not less than one-half of the unobligated balance in the producer-settlement fund;

(3) Subtracting, if the weighted average butterfat test of all milk received from producers represented by the values included in (1) of this paragraph is greater than 4 percent, or adding, if the weighted average butterfat test of such milk is less than 4 percent, an amount computed by multiplying the total hundredweight of butterfat represented by the variance of such weighted average butterfat test from 4 percent by butterfat differential of 1.15 times the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, multiplied by 100.

(4) Dividing by the hundredweight of milk received from producers represented by the values included in (1) of this paragraph; and

(5) Subtracting not less than 4 cents nor more than 5 cents.

(c) *Notification.* On or before the 12th day after the end of each delivery period, the market administrator shall notify each handler of:

(1) The amount and values of his producer milk in each class and the totals of such amounts and values;

(2) The uniform price;

(3) The amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and

(4) The totals of the minimum amounts to be paid by such handler pursuant to §§ 932.7, 932.8, 932.9, and 932.10.

§ 932.7 *Payment for milk*—(a) *Time and method of final payment.* Each handler shall make payment, subject to the producer butterfat differential announced pursuant to (c) of this section, after deducting the amount of the payment made pursuant to (b) of this section, for all milk received from producers during each delivery period, as follows:

(1) Except as set forth in (2) of this paragraph, to each producer, on or before the 15th day after the end of such delivery period, at not less than the uniform price.

(2) To a cooperative association for milk of producers, with respect to milk which was caused to be delivered by him to such association, either directly or from producers who have authorized such association, to collect payment, on or before the 14th day after such delivery period, in a total amount equal to not less than the sum of the individual amounts otherwise payable to such producers under § 932.5 at not less than the class prices.

(3) On or before the 14th day after the end of each delivery period, each handler shall pay a cooperative association which is a handler, with respect to skim milk and butterfat received by him from a plant operated by such cooperative association, not less than the minimum class prices, subject to the respective handler butterfat differential according to the classification of such skim milk and butterfat pursuant to § 932.4.

(b) *Partial payments.* (1) On or before the last day of each delivery period, each handler shall make payment, except as set forth in (2) of this paragraph, to each producer at not less than the uniform price subject to the producer butterfat differential, for the preceding delivery period for such producer milk which was received by such handler during the first 15 days of such delivery period.

(2) On or before the 14th day of each delivery period, each handler shall make payment to a cooperative association for milk of producers, with respect to milk which was caused to be delivered by him to such association, either directly or from producers who have authorized such association to collect payment, at not less than the uniform price, subject to the producer butterfat differential, for the preceding delivery period for all such producer milk which was received by such handler during the first 15 days of such delivery period.

(c) *Producer butterfat differential.* In making payments pursuant to (a) (1) or (a) (2) of this section there shall be added to, or subtracted from, the uniform price per hundredweight, for each one-tenth of one percent of such butterfat content in milk above or below 4.0 percent, as the case may be, an amount computed by multiplying 1.15 times the average wholesale price per pound of 92-score butter at Chicago, as reported by the Department of Agriculture for the delivery period, divided by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) of this section and out of which he shall make all payments to handlers pursuant to (f) of this section.

(e) *Payments to the producer-settlement fund.* On or before the 13th day after the end of each delivery period, each handler shall pay to the market administrator the amount by which the total value of his milk for such delivery period is greater than the minimum sum required to be paid by such handler pursuant to (a) of this section.

(f) *Payments out of the producer-settlement fund.* On or before the 14th day after the end of each delivery period the market administrator shall pay to each handler the amount by which the minimum sum required to be paid producers or a cooperative association by such handler pursuant to (a) of this section is greater than the total value of the milk of such handler for such delivery period, less any unpaid obligations of such handler to the market administrator pursuant to (e) of this section, §§ 932.8, 932.9, or 932.10: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments to all such handlers pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 932.8 *Expense of administration.* As his prorata share of the expense incurred pursuant to § 932.2 (c) (4), each handler shall pay the market administrator, on or before the 13th day after the end of each delivery period, four cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, to be announced by the market administrator on or before the 10th day after the end of such delivery period, with respect to all receipts within the delivery period of milk from producers (including such handler's own production) and of other source milk received at a fluid milk plant.

§ 932.9 *Marketing services*—(a) *Marketing service deductions.* Except as set forth in (b) of this section, each handler, in making payments to producers pursuant to § 932.7, shall make a deduction of 4 cents per hundredweight of milk, or such lesser deduction as the market administrator shall determine to be sufficient, subject to review by the Secretary of Agriculture, with respect to the following:

(1) All milk received from producers at a plant not operated by an association of producers qualified under (b) of this section; and

(2) All milk received at a plant operated by an association of producers qualified under (b) of this section from producers who are not members of such association.

Such deductions shall be paid by the handler to the market administrator on or before the 13th day after the end of each delivery period. Such monies shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers. The market administrator may contract with any qualified association of producers to act as his agent to furnish any or all of such services to such producers.

(b) *Marketing service deduction with respect to members of, or producers marketing through, an association of producers.* In the case of each producer (1) who is a member of, or who has given written authorization for the rendering of marketing services and the taking of deduction therefor to, an association of producers qualified under the provisions of the act of Congress of February 18, 1922, known as the Capper-Volstead Act, (2) whose milk is received at a plant not operated by such association, and (3) for whom the Secretary determines that such association is performing the services described in (a) of this section, each handler shall deduct, in lieu of the deductions specified under (a) of this section, from the payments made pursuant to § 932.7 the amount per hundredweight of milk authorized by such producer and shall pay over, on or before the 13th day after the end of such delivery period, such deduction to the association entitled to receive it under this paragraph.

§ 932.10 *Adjustments of accounts*—(a) *Errors in payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in monies due (1) the market administrator from such handler, (2) such handler from the market administrator, or (3) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any such account due; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred following the 5th day after such notice.

(b) *Overdue accounts.* Any unpaid obligation of a handler or of the market administrator pursuant to §§ 932.7, 932.8, 932.9, or (a) of this section shall be increased one-half of one percent per month, on the first day of the calendar month next following the due date of such obligation and on the first day of each calendar month thereafter until such obligation is paid.

§ 932.11 *Application of provisions*—(a) *Exempt milk.* Milk received at a plant of a handler the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall not be subject to the pricing and payment provisions hereof.

(b) *Milk caused to be delivered by cooperative associations.* Milk referred to herein as received from producers by a handler shall include milk of producers caused to be delivered directly from the farm to such handler by a cooperative association which is authorized to collect payment for such milk.

§ 932.12 *Effective time.* The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 932.13 *Suspension or termination*—(a) *When suspended or terminated.* The Secretary shall, whenever he finds that this order, or any provisions thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this order or any such provision thereof.

(b) *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this order, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

(c) *Liquidation.* Upon the suspension or termination of the provisions hereof, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 932.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 932.15 *Separability of provisions.* If any provision hereof, or its application to any person or circumstances, is held invalid, the application of such provisions, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

Proposal of Bullerman and Sons Dairy, Flaugh and Son Dairy, and Knispel Dairy:

Give consideration to the adoption of an individual-handler pool in place of the market-wide type of pool provided in the amendments proposed by the Wayne Cooperative Milk Producers, Inc. (Under an individual-handler pool the uniform price to each producer is determined on the basis of the use of milk by the individual-handler to whom the producer delivers. Under a market-wide pool such price to each producer is determined on the basis of the over-all use of milk in the market, irrespective of the use made of milk by the individual-handler to whom the producer delivers.)

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: August 2, 1946.

[SEAL] E. A. MEYER,
Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 46-13509; Filed, Aug. 2, 1946; 3:42 p. m.]

[P. & S. Docket No. 456]

MARKET AGENCIES AT OGDEN UNION STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION

By a document filed on July 19, 1946, the respondents petitioned for a modification of the rates and charges heretofore prescribed by the Secretary in an order, dated August 29, 1935, as modified by an order of the Judicial Officer, dated June 20, 1946.

Respondents seek to modify their Tariff No. 3 now in effect so as to permit them to publish and file with the Secretary an amendment to such tariff making effective the following rates and charges:

ARTICLE I—DEFINITIONS

"Calves" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 450 pounds or under.

"Cattle" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is over 450 pounds.

"Hogs" are swine, irrespective of weight.

A "consignment," for the purpose of assessing selling charges, is all of the livestock of one species delivered in the name of one person to the market agency to be offered for sale during the trading hours of one day.

A "consignment," for the purpose of assessing buying charges, is all of the livestock of one species bought at one time but shipped or delivered to one person on one market day.

A "draft" is all of the animals in one consignment weighed as a single sales or purchase classification.

A "person" is either an individual, a partnership, a corporation or an association of any such acting as a unit.

ARTICLE 2

SECTION A

Straight car—Single ownership

Cattle and calves:	*Per car*
Single deck	$17.50
Double deck	22.00
Swine:	
Single deck	15.00
Double deck	21.00
Sheep:	
Single deck	14.00
Double deck	19.00

NOTE: All species of livestock arriving by rail in trailer cars shall carry the charges set out in section B of Article 2, provided that the total charges on a species in a trailer shall not exceed the charges for a car of that species set out in Section A of Article 2.

SECTION B

Other modes of arrival

Cattle and calves

Calves:	*Per head*
Consignments of one head	$0.50
Consignments of more than one head:	
1 to 15 head, inclusive	.40
Each head over 15	.30
Cattle:	
Consignments of one head	.90
Consignments of more than one head:	
1 to 15 head, inclusive	.80
Each head over 15	.65
Bulls:	
Over 600 pounds	1.25
Pure bred bulls of any weight	5.00
Hogs:	
Consignments of one head	.45
Consignments of more than one head:	
First 10 head	.35
Next 15 head	.25
Each head over 25	.20

Other modes of arrival—Continued

Sheep:	*Per head*
Consignments of one head	$0.35
Consignments of more than one head:	
For the first 10 in each 300 head	.25
For the next 50 in each 300 head	.15
For the next 60 in each 300 head	.08
For the next 130 in each 300 head	.04
For the next 50 in each 300 head	.01

ARTICLE 3

SECTION A—SELLING CHARGES

Drafts. On consignments where more than three drafts are necessary or requested, 25 cents per draft in excess of three, maximum of $3.00 will be charged.

SECTION B—BUYING CHARGES

The rates for buying livestock shall be the same as selling like species except as follows:

When livestock consigned to a commission firm is sold to a buyer who issues out of town drafts in payment for same, a service charge of 1/10 of 1 per cent of the gross cost of livestock shall be charged to the buyer.

The rates and charges now set forth in respondents' tariff on file with the Secretary are as follows:

ARTICLE I—DEFINITIONS

"Calves" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 450 pounds or under.

"Light weight cattle" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 450 pounds and not over 800 pounds.

"Cattle" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is over 800 pounds.

"Pigs" are swine, weighed in drafts, the average of the animals in which is under 125 pounds.

"Hogs" are swine, weighed in drafts, the average of the animals in which is over 125 pounds.

A "consignment," for the purpose of assessing selling charges, is all of the livestock of one species delivered in the name of one person to the market agency to be offered for sale during the trading hours of one day.

A "consignment," for the purpose of assessing buying charges, is all of the livestock of one species bought at one time but shipped or delivered to one person on one market day.

A "draft" is all of the animals in one consignment weighed as a single sales or purchase classification.

A "person" is either an individual, a partnership, a corporation or an association of any such acting as a unit.

ARTICLE 2

SECTION A

Straight car—Single ownership

Cattle and calves:	*Per car*
Single deck	$15.00
Double deck	20.00
Swine:	
Single deck	14.00
Double deck	20.00
Sheep:	
Single deck	12.00
Double deck	17.00

SECTION B

Other modes of arrival

Cattle and calves

Calves:	*Per head*
Consignment of one head	$0.50
Consignments of more than one head:	
1 to 20 head, inclusive	.35
Each head over 20	.25

Other modes of arrival—Continued

	Per head
Light weight cattle:	
Consignments of one head	$0.75
Consignments of more than one head:	
1 to 20 head, inclusive	.50
Each head over 20	.40
Cattle:	
Consignments of one head	1.00
Consignments of more than one head:	
1 to 20 head, inclusive	.75
Each head over 20	.65
Swine:	
Pigs:	
Consignments of one head	.30
Consignments of more than one head:	
1 to 40 head, inclusive	.20
Each head over 40	.05
Hogs:	
Consignment of one head	.40
Consignments of more than one head:	
1 to 40 head, inclusive	.25
Each head over 40	.25
Sheep:	
Consignments of one head	.35
Consignments of more than one head:	
For the first 10 in each 300 head	.25
For the next 50 in each 300 head	.15
For the next 60 in each 300 head	.06
For the next 130 in each 300 head	.03
For the next 50 in each 300 head	.01

ARTICLE 3—EXTRA SERVICE CHARGES

The following extra service charges are applicable to all species:

For each additional weight draft over 3 in a consignment on account of sales classification	$0.15
For each additional check, each additional account of sales, each proceeds deposit or bank credit, over 1 per owner	.05

ARTICLE 4—COMMISSION ON REACTOR CATTLE

The commission for handling Reactor cattle of any or all kinds, shall be $1.00 per head, regardless of whether in single lots or carloads.

Effect of proposed modification. The effect of such proposed modification, if granted, would be to increase the revenue producing power of respondents' tariff. In the tariff now in effect the classification "light weight cattle" namely, animals weighed in drafts, the average weight of which is 450 pounds and not over 800 pounds has been abolished. These lightweight animals are classified in the proposed tariff as cattle and carry a higher rate than when classified as lightweight cattle. Because of this change in classification, and because of increased rates in classifications which have not been changed, it appears that public notice should be given to all interested persons of the request of respondents, so as to afford them an opportunity to manifest their desire to be heard on the matter. Therefore, notice is hereby given to the public and to all interested persons of the request of the respondents for a modification of the orders of the Secretary referred to above. The respondents and all other interested persons including patrons of the respondents are therefore afforded an opportunity to be heard on the matters covered in the petition for modification.

All persons who desire to be heard shall notify the hearing clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this order.

Copies hereof shall be served on the respondents by registered mail or in person.

Done at Washington, D. C., this 2d day of August 1946.

[SEAL] E. A. MEYER,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 46-13554; Filed, Aug. 5, 1946; 11:14 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6734]

INDEPENDENT BROADCASTING C

ORDER AMENDING ISSUES

In re application of Independent Broadcasting Company, Des Moines, Iowa; for construction permit; Docket No. 6734, File No. B4-P-3770.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of July 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard station to be operated on the frequency 940 kc, with 10 kw power, daytime only, at Des Moines, Iowa; and

It appearing, that the said application was, on March 20, 1946, designated for hearing in a consolidated proceeding with the applications of University of Minnesota (KUOM) (File No. B4-P-4547, Docket No. 7455) and St. Olaf College (WCAL) (B4-ML-1229, Docket No. 7532) and that May Broadcasting Company (KMA) was, in the same order, made a party to the proceeding; and

It further appearing, that the said applications of University of Minnesota (KUOM) and St. Olaf College (WCAL) have been dismissed without prejudice on motion of the respective applicants;

It is ordered, On the Commission's own motion, that the issues heretofore released in an amended order of the Commission dated March 20, 1946, in the matter of the said application of Independent Broadcasting Company be, and they are hereby, amended by deleting therefrom issues numbered 1, 3 and 6 and by deleting from issue number 4 the reference therein to Station KUOM.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-13500; Filed, Aug. 2, 1946; 1:25 p. m.]

[Docket No. 6797]

VIRGINIA-CAROLINA BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Virginia-Carolina Broadcasting Corporation, Danville, Virginia; for construction permit; Docket No. 6797, File No. B2-P-4113.

At a session of the Federal Communications Commission, held at its offices in Washigton, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1250 kc, with 5 kw power, unlimited time, employing a directional antenna for nighttime use, at Danville, Virginia;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Piedmont Broadcasting Corporation (WBTM) (File No. B2-P-4137, Docket No. 6938), as amended, requesting a construction permit to change the frequency of WBTM from 1400 kc to 1250 kc, increase power from 250 w to 1 kw local sunset, 5 kw night, and install a directional antenna for nighttime use, unlimited time, at Danville, Virginia, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WCAE at Pittsburgh, Pennsylvania, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Piedmont Broadcasting Corporation (File No. B2-P-4137, Docket No. 6938) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-13501; Filed, Aug. 2, 1946; 1:25 p. m.]

[Docket No. 6938]

PIEDMONT BROADCASTING CORP. (WBTM)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Piedmont Broadcasting Corporation, Danville, Virginia (WBTM), for construction permit; Docket No. 6938, File No. B2–P–4137.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application, as amended, requesting a construction permit to change the frequency of Station WBTM from 1400 kc to 1250 kc, increase power from 250 w to 1 kw local sunset, 5 kw night, and install a directional antenna for nighttime use, unlimited time, at Danville, Virginia;

It is ordered, That the said application be, and it is hereby designated for hearing in a consolidated proceeding with the application of Virginia-Carolina Broadcasting Corporation (File No. B2–P–4113, Docket No. 6797) requesting a construction permit for a new standard broadcast station to operate on 1250 kc, with 5 kw power, unlimited time, employing a directional antenna for nighttime use, at Danville, Virginia, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate Station WBTM as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WBTM as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station WBTM as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station WBTM as proposed would involve objectionable interference with the services proposed in the pending application of Virginia-Carolina Broadcasting Corporation (File No. B2–P–4113, Docket No. 6797), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station WBTM as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–13502; Filed, Aug. 2, 1946; 1:25 p. m.]

[Docket No. 7700]

BLUFF CITY BROADCASTING CO. LTD.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING OF STATED ISSUES

In re application of E. R. Ferguson and J. R. Pepper, Ltd., d/b as Bluff City Broadcasting Co., Ltd., Memphis, Tennessee, for construction permit; Docket No. 7700, File No. B3–P–4708.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 250 w power, unlimited time, at Memphis, Tennessee;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Kennett Broadcasting Corporation (File No. B4–P–4764) requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 1 kw power, daytime only, at Kennett, Missouri, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Kennett Broadcasting Corporation (File No. B4–P–4764) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46–13503; Filed, Aug. 2, 1946; 1:25 p. m.]

[Docket No. 7701]

KENNETT BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Kennett Broadcasting Corporation, Kennett, Missouri, for construction permit; Docket No. 7701, File No. B4–P–4764.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 1 kw power, daytime only, at Kennett, Missouri;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of E. R. Ferguson and J. R. Pepper, Ltd., d/b as Bluff City Broadcasting Co., Ltd., (File No. B3–P–4708), requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 250 w power, unlimited time, at Memphis, Tennessee, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of E. R. Ferguson and J. R. Pepper, Ltd., d/b as Bluff City Broadcasting Co., Ltd. (File No. B4–P–4708), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of

other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-13504; Filed, Aug. 2. 1946; 1:25 p. m.]

[Docket No. 7694]

HUNTINGTON BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Leon Wyszatycki, d/b as Huntington Broadcasting Company, Huntington, California, for construction permit; Docket No. 7694, File No. B5-P-4822.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1540 kc, with 5 kw power, daytime only, at Huntington, California;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Hollywood Community Radio Group (File No. B5-P-5020) requesting a construction permit for a new standard broadcast station to operate on 1530 kc, with 1 kw power, daytime only, at Gardena, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Hollywood Community Radio Group (File No. B5-P-5020) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-13505; Filed, Aug. 2, 1946; 1:25 p. m.]

[Docket No. 7695]

HOLLYWOOD COMMUNITY RADIO GROUP

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Hollywood Community Radio Group, Gardena, California, for construction permit; Docket No. 7695, File No. B5-P-5020.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1530 kc, with 1 kw power, daytime only, at Gardena, California;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Leon Wyszatycki, d/b as Huntington Broadcasting Company (File No. B5-P-4822) requesting a construction permit for a new standard broadcast station to operate on 1540 kc, with 5 kw power, daytime only, at Huntington Park, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Leon Wyszatycki, d/b as Huntington Broadcasting Company (File No. B5-P-4822), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-13506; Filed, Aug. 2, 1946; 1:26 p. m.]

[Docket Nos. 7696 and 7697]

SOUTHEASTERN BROADCASTING CO. AND SOMERSET BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Southeastern Broadcasting Co., Somerset, Kentucky, Inc., Docket No. 7696, File No. B2-P-5019; H. W. Cain, I. C. Kelly, H. T. Withers and H. L. McKinney, a partnership, d/b as Somerset Broadcasting Company, Somerset, Kentucky; Docket No. 7697; File No. B2-P-4892; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new standard broadcasting station to operate on 1240 kc, with 250 w power, unlimited time, at Somerset, Kentucky.

It is ordered, That the said applications be, and they are hereby, designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, and of the applicant partnership and its partners, respectively, to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain primary service from the operation of each of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered by each applicant and whether it would meet the requirements of the populations and areas proposed to be served;.

4. To determine whether the operation of each of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the

areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of each of the proposed stations would involve objectionable interference with the other and with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of each of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of each of the antenna systems proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 46-13507; Filed, Aug. 2, 1946; 1:26 p. m.]

[Pub. Notice 94936]

REVISION OF FREQUENCY ALLOCATIONS TO NON-GOVERNMENT SERVICES

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12130; filed, Aug. 2, 1946, 3:11 p. m.) a revision, dated June 27, 1946, of the allocations of radio frequencies to non-Government services. This revision involves:

1. A joining of the bands 3700-4000 Mc and 4200-4400 Mc into one band whose limits are 3700-4200 Mc.

2. The shifting of the Air Navigation Aids (Altimeters) band from 4000-4200 Mc to 4200-4400 Mc.

[Pub. Notice 95407]

ADOPTION OF PROPOSED SERVICE-ALLOCATION FOR 920-960 MEGACYCLE BAND

The Federal Communications Commission filed (F. R. Doc. N. P. 12131; filed, Aug. 2, 1946, 3:11 p. m.) an announcement, dated July 12, 1946, of the adoption of a service-allocation for the 920-960 megacycle band as proposed in a public notice (No. 93464) dated June 3, 1946.

[Pub. Notice 95408]

FREQUENCY SERVICE-ALLOCATIONS TO NON-GOVERNMENT FIXED AND MOBILE SERVICES IN 152-162 MEGACYCLE BAND

The Federal Communications Commission filed (F. R. Doc. N, P. 46-12132; filed, Aug. 2, 1946, 3:11 p. m.) a proposal, dated July 12, 1946, for the allocation of specific frequencies in the band 152-162 Mc to the non-Government fixed and mobile services, together with a minor change in the general allocations previously made for this band.

[Pub. Notice 95409]

REVISION OF PROPOSED ALLOCATION OF FREQUENCIES BELOW 25,000 KILOCYCLES

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12133; filed, Aug. 2, 1946, 3:11 p. m.) a revision, dated July 12, 1946, of its proposed allocation of frequencies below 25,000 kilocycles.

[Pub. Notice 95462]

CHANGES IN DEFINITIONS AS USED IN REPORT ENTITLED "PUBLIC SERVICE RESPONSIBILITY OF BROADCAST LICENSEES"

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12134; filed, Aug. 2, 1946, 3:11 p. m.) an announcement, dated July 2, 1946, of several changes in the definitions of terms as used in the Commission's report of March 7, 1946, entitled "Public Service Responsibility of Broadcast Licensees."

[Pub. Notice 95682]

FREQUENCY SERVICE-ALLOCATIONS TO NON-GOVERNMENT FIXED AND MOBILE SERVICES IN THE 42-44 MEGACYCLE BAND

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12135; filed, Aug. 2, 1946, 3:11 p. m.) an announcement, dated July 19, 1946, of the service-allocations of specific frequencies to non-government fixed and mobile services in the band 42-44 Mc.

[Pub. Notice 95700]

FREQUENCY SERVICE-ALLOCATION BETWEEN 1000 AND 13000 MEGACYCLES TO NON-GOVERNMENT FIXED AND MOBILE SERVICES

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12136; filed, Aug. 2, 1946, 3:11 p.m.) a notice, dated July 19, 1946, of frequency service-allocation between 1000 and 13000 megacycles to non-Government fixed and mobile services.

[Pub. Notice 95704]

REVISION OF TABLE OF FREQUENCY ALLOCATIONS BETWEEN 25,000 AND 30,000,000 KILOCYCLES

The Federal Communications Commission filed (F. R. Doc. N. P. 46-12137; filed, Aug. 2, 1946, 3:11 p. m.) an announcement, dated July 19, 1946, a revision of its table of frequency allocations betwen 25,000 and 30,000,000 kilocycles.

FEDERAL POWER COMMISSION.

[Docket No. G-745]

ARKANSAS-LOUISIANA GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 2, 1946.

Upon consideration of the application filed on July 1, 1946, by Arkansas-Louisiana Gas Company (Applicant) for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(1) Approximately 3,819 feet of 4½-inch O. D. welded pipeline to be designated as Line AM-109, extending from Station 8889-78 on Applicant's line "A", approximately 625 feet south of Applicant's South Town Border Station, Little Rock, Arkansas, in a westerly direction to the Little Rock, Arkansas, plant of the Acme Brick Company, located in the east half of the northwest quarter of Section 17, Township 1 North, Range 12 West, Pulaski County, Arkansas, together with metering and regulating facilities and including a minimum of four 1-inch taps for service to residential and commercial consumers which may be connected in the future;

(2) Approximately 70 feet of 2⅜-inch O. D. welded pipeline, to be designated as Line AM-110, extending from Station 31-57 on the proposed Line AM-109 north to a plant of the J & S Manufacturing Company, located in part of the southeast quarter and part of the north two-thirds of the southwest quarter of the northeast quarter of Section 17, Township 1 North, Range 12 West, Pulaski County, Arkansas, together with metering and regulating facilities.

The Commission orders that: (A) A public hearing be held commencing on August 14, 1946, at 10 A. M. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however,* That if no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest or a petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 46-13567; Filed, Aug. 5, 1946; 11:45 a. m.]

[Dockets No. G-210, G-661, G-688, G-693]

MICHIGAN CONSOLIDATED GAS CO. ET AL.

ORDER POSTPONING HEARING

AUGUST 2, 1946.

Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-210; City of Detroit, a Municipal Corporation, and County of Wayne, a Municipal Corporation, both of the State of Michigan v. Panhandle East-

ern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-661; In the matter of Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-688; In the matter of Panhandle Eastern Pipe Line Company, Docket No. G-693.

It appearing to the Commission that:

(a) On May 10, 1946, the Commission ordered that a public hearing in the above-entitled matters be held commencing on August 26, 1946, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

(b) Good cause exists for postponing the date of hearing as hereinafter provided.

The Commission orders that: The public hearing in the above-entitled matters is hereby postponed to September 30, 1946, commencing at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-13568; Filed, Aug. 5, 1946; 11:45 a. m.]

[Docket No. G-691]

KANSAS-COLORADO UTILITIES, INC.

ORDER FIXING DATE OF HEARING

AUGUST 2, 1946.

Upon consideration of the application filed on December 26, 1945, by Kansas-Colorado Utilities, Inc. (Applicant) for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(1) A 2-inch natural gas transmission line approximately 8 miles in length, running due west of Wiley, Colorado, on the south line of Section 6, Township 22 South, Range 47 West, Prowers County, Colorado, to the northwest corner of Section 12, Township 22 South, Range 48 West, Bent County, Colorado; thence south along the west line of said Section 12 to the southwest corner of said Section 12; thence west along the south line of Sections 11, 10, 9, and 8, Township 22 South, Range, 48 West, Bent County, Colorado, to the southwest corner of said Section 8; thence south ½ mile; and thence west to the village of McClave, Colorado. Said line is to be operated by Applicant to transport and sell natural gas to consumers along its route and to transport gas to a distribution system in the village of McClave, Colorado, to be constructed and operated by Applicant.

The Commission orders that: (A) A public hearing be held commencing on August 14, 1946, at 10:30 a. m. (est), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Ave. NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding; *Provided, however,* That if no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest or a petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-13569; Filed, Aug. 5, 1946; 11:45 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 396, Special Permit 48]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (11 F.R. 2193), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., August 1, 1946, by Brown-Loe Brokerage Co. of following cars of peaches, now on the Mo. Pac. to ART 18893, ART 20292, MDT 5293, WFE 61946 and RD 24292 to Lincoln, Nebr. (Mo. Pac.-CB&Q) ART 17441 to St. Joseph, Mo. (Mo. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August, 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-13563; Filed, Aug. 5, 1946; 11:34 a. m.]

[S. O. 479, Special Permit 11]

REFRIGERATION OF POTATOES SHIPPED TO NEW ORLEANS, LA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration for the following cars potatoes shipped August 2, 1946, to Q. M. Marketing Center, New Orleans, La., routed L. I.—P. R. R.—I. C.: WFE 49845, BRE 73267, FGE 46348, WFE 67118, FGE 51944 and BRE 74547 shipped by F. H. Vahlsing, Mattituck, L. I., WFE 63384, FGE 9229 shipped by Suffolk Pot. Ex. Bridgehampton, L. I., ART 23104 from Southhold, L. I., WFE 60102, 65230 and 62270 from Southampton shipped by I. M. Young.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of August 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-13564; Filed, Aug. 5, 1946; 11:34 a. m.]

[S. O. 570]

UNLOADING OF LUMBER AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of August A. D. 1946.

It appearing, that 4 cars containing lumber at Los Angeles, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Lumber at Los Angeles, California, be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately cars UP 414435 and SP 38096 consigned Gordon & Gordon, also Soo Line 39098 and Milw 65961 consigned American Asiatic Trading Co., loaded with lumber now on hand at Los Angeles, California.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that

a copy of this order and direction shall be served upon The Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 46-13560; Filed, Aug. 5, 1946; 11:34 a. m.]

[S. O. 572]

EMBARGOING OF MIDLAND WAREHOUSE CORP.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2nd day of August A. D. 1946.

It appearing, that the Midland Warehouse Corporation, Kansas City, Mo., has persistently and is now indulging in the practice of holding loaded freight cars an unreasonable time before unloading them; that the railroads have placed Embargo AAR #363 against the said corporation but they have and are disregarding their embargo; that such practices are impeding the use of freight cars, thus contributing to the existing general shortage of such cars; in opinion of the Commission an emergency requiring immediate action exists at Kansas City, Mo.-Kan. It is ordered, that:

(a) *Shipments to or for the Midland Warehouse Corp., be embargoed.* The Atchison, Topeka and Santa Fe Railway Company, Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), The Alton Railroad Company, Chicago, Burlington & Quincy Railroad Company, The Chicago, Rock Island and Pacific Railway Company (Joseph B. Fleming and Aaron Colnon, Trustees), Chicago Great Western Railroad Company, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, The Kansas City Southern Railway, Missouri-Kansas-Texas Railroad Company, St. Louis-San Francisco Railway Company (J. M. Kurn and John G. Lonsdale, Trustees) Union Pacific Railroad Company and the Wabash Railroad Company shall not accept from shippers or connecting railroads a loaded freight car or cars consigned or reconsigned direct to, or advise the Midland Warehouse Corporation, Kansas City, Missouri-Kansas; nor shall said named carriers deliver or place for delivery at any point in Kansas City in the States of Missouri or Kansas such car or cars consigned or reconsigned direct to, or advise Midland Warehouse Corporation, its agents or employees.

(b) *Special and general permits.* This order shall be subject to any special or general permits issued by V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., authorizing a departure therefrom.

(c) *Effective date.* This order shall become effective at 6:00 p. m., August 5, 1946.

(d) *Expiration date.* This order shall expire at 11:59 p. m., October 8, 1946, unless modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, secs. 402, 418, 41 Stat. 475, 485, secs. 4, 10, 54 Stat. 901, 912; U.S.C. 1 (10)-(17))

It is further ordered, that copies of this order and direction shall be served upon the railroads specified in paragraph (a) hereof and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 46-13562; Filed, Aug. 5, 1946; 11:34 a. m.]

[S. O. 571]

UNLOADING OF LUMBER AT BURBANK, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of August A. D. 1946.

It appearing, that cars SP 39114 and SP 43558 containing lumber at Burbank, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Lumber at Burbank, California, be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately cars SP 39114 and SP 43558 loaded with lumber now on hand at Burbank, California.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Southern Pacific Company, and upon the Asssociation of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 46-13561; Filed, Aug. 5, 1946; 11:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 156 Under 3 (e)]

UNITY LEATHER AND TEXTILE CO.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *What this order does.* This order establishes the maximum prices for sales to manufacturers of certain sheets of imitation leather produced by Unity Leather and Textile Company, 114 South Street, Boston 11, Mass.

(b) *Maximum prices.* The maximum prices for all sales and resales of the following cut sheets of imitation leather to manufacturers, produced by Unity Leather and Textile Company, 114 South Street, Boston 11, Massachusetts, shall be:

Commodity	*Maximum prices for sales to manufacturers (per square foot)*
Fabricated leather, 48" leather fiber and pulp base, finished to simulate leather, 5 spread coats of lacquer coating, embossed:	
1 iron (or 1 ounce)	$0.0916
1½ iron (or 1½ ounce)	.1170
2 iron (or 2 ounces)	.1423
Fabricated leather, 48" leather fiber and pulp base, finished to simulate patent leather, 8 spread coats of pyroxylin coating, 7 dry ounces per linear yard, embossed:	
1 iron (or 1 ounce)	.0950
1½ iron (or 1½ ounce)	.1209
2 iron (or 2 ounces)	.1468

(c) *Terms.* All prices shall be subject to all discounts, allowances, and trade practices, of the seller in effect during March 1942.

(d) *Relation to the GMPR.* All provisions of the GMPR not inconsistent with this order shall apply to commodities sold under this order.

(e) *Notification.* When or prior to the first delivery of any of the commodities priced by this order to any reseller, the seller shall furnish such reseller a written notice setting forth the maximum prices for sale to cutters as set forth in paragraph (b).

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER, *Administrator.*

[F. R. Doc. 46-13470; Filed, Aug. 2, 1946; 11:46 a. m.]

[MPR 120, Order 1703]

SOLID FUELS IN PRESTON COUNTY, W. VA.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Bituminous coal produced at all mines operating in Preston County, West Virginia, in District No. 3, may be sold and purchased for rail shipment at the maximum prices established for such mines by § 1340.214 (b) (1) of Maximum Price Regulation No. 120, as amended by § 1340.210 (a) (16) or by order of adjustment issued under § 1340.207 (a), plus the sum of 30 cents per net ton.

(b) The per net ton maximum prices applicable to coals produced by the following named mines operating in the Sewell Seam in District No. 3 are hereby established for the indicated uses and movements as follows:

Mine index No.	Mine name	Maximum prices by size group number for rail shipment for all uses				
		1	2	3	4	5
16	Bergoo No. 2	478	438	413	403	403
428	Cassity No. 4	478	438	413	403	403
455	Cherry Run	478	438	428	403	403
795	Hart No. 1	503	463	438	428	428
945	Coberly	513	473	448	438	438
1272	Big Sewell No. 2	513	473	468	438	438
1404	Kessler No. 1	478	458	433	423	423
2010	Sewell Chief	490	450	425	415	415
2067	Williams River	478	438	413	403	403
2151	Royal No. 4	478	438	413	403	403
2175	Bergoo No. 5	478	438	413	403	403
2176	Bergoo No. 6	478	438	413	403	403

Mine index No.	Mine name	Maximum prices by size group No. for truck or wagon shipments				
		1	2	3	4	5
16	Bergoo No. 2	----	----	----	----	----
428	Cassity No. 4	----	----	----	----	----
455	Cherry Run	----	----	----	----	----
795	Hart No. 1	483	478	448	443	423
945	Coberly	483	478	448	443	423
1272	Big Sewell No. 2	488	478	448	443	423
1404	Kessler No. 1	----	----	----	----	----
2010	Sewell Chief	----	----	----	----	----
2067	Williams River	----	----	----	----	----
2151	Royal No. 4	----	----	----	----	----
2175	Bergoo No. 5	----	----	----	----	----
2176	Bergoo No. 6	----	----	----	----	----

(c) The maximum prices established hereby include the adjustment granted by Amendment No. 158 to Maximum Price Regulation No. 120, and they are applicable f. o. b. the rail or river shipping point for rail or river shipments and f. o. b. the rail shipping point for railroad fuel for all uses. The schedule maximum prices shall apply to all size groups and all methods of shipment not listed herein.

(d) The producers described herein shall include a statement on all invoices in connection with the sales of coal priced under this order that the price charged includes an adjustment granted by Order No. 1703 under Maximum Price Regulation No. 120 of the Office of Price Administration.

(e) Orders Nos. L–106, L–456, L–678 and Order No. 1290 insofar as it relates to mines identified by Mine Index Nos. 795, 945, 1272 and 1404 are hereby revoked.

(f) This order may be revoked or amended by the Price Administrator at any any time.

(g) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 shall remain in effect.

Issued this 2d day of August 1946.

This order shall become effective August 2, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13471; Filed, Aug. 2, 1946; 11:45 a. m.]

[RMPR 136, Order 665]

NAPPANEE TRAILER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Nappanee Trailer Company, Nappanee, Indiana, may sell, f. o. b. plant, each Walco trailer described in subparagraph (1) below at a price not to exceed $1,396.50, plus federal excise tax, state and local taxes on the sale or delivery of the trailer and any cost of transporting it to the purchaser.

(1) *Description.*

Walco House Trailer, 20′ 6″ long, equipped with 7.00 x 16, 6-ply synthetic tires, studio couch, heating stove, cooking stove, ice box, double bed and mattress and other detailed specifications included in the report filed with this Office.

(b) Nappanee Trailer Company is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price.* $1,996.00.

(2) *Charges.* (i) A charge not to exceed the transportation cost, if any, from the factory at Nappanee, Indiana, to the place of business of the reseller.

(ii) A charge equal to the charge made by Nappanee Trailer Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Walco House trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a) at a price not to exceed the price established in paragraph (b) to which it may add a sum equal to the expense incurred or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial charges in design, specification or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13472; Filed, Aug. 2, 1946; 11:46 a. m.]

[MPR 188, Order 5103]

DORIC LAMP MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Doric Lamp Mfg. Company, Inc., 470 Center Street, Meriden, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
14″ taffeta lamp shade—Hand sewn	100–S	*Each* $4.43	*Each* $5.21	*Each* $9.38
Polished brass junior floor lamp with reflector and parchment shade	503	10.99	12.92	23.26
Decorated enameled metal junior floor lamp	505	9.49	11.16	20.09
Polished brass bridge study lamp with reflector and parchment shade	507	12.11	14.25	25.65
Polished brass junior floor lamp with reflector and parchment shade	508	11.73	13.80	24.84
Polished brass junior floor lamp with reflector and parchment shade	509	12.11	14.25	25.65
Polished brass indirect table lamp with reflector and parchment shade	600	7.15	8.41	15.14
Polished brass table lamp with reflector and aluminum shade	601	8.58	10.10	18.18
French tole enameled metal table lamp	602	5.72	6.72	12.10
Polished brass table lamp and parchment shade	603	5.83	6.85	12.33

These maximum prices are for the articles described in the manufacturer's application dated June 11, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Meriden, Conn., 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 3d day of August 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13474; Filed, Aug. 2, 1946; 11:44 a. m.]

[MPR 188, Corr. to Order 4928]

MODERN STEEL CO.

AUTHORIZATION OF MAXIMUM PRICES

The paragraph preceding paragraph (a) should read:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13473; Filed, Aug. 2, 1946; 11:44 a. m.]

[MPR 478, Order 193]

WEYMOUTH ART LEATHER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum prices for sales at wholesale to manufacturers, supply jobbers, and retailers by the Weymouth Art Leather Company, Inc., South Braintree, Mass., or by any other reseller of the following coated fabrics shall be as follows:

[Per linear yard]

Commodity	Manufacturer	Supply jobber	Retailer
36" T-13950 quality, 37", 68 x 40, 3.95 drill, dyed, coated with 6.4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	$0. 55902	$0. 5421	$0. 6389
36" T-11755 quality, 37", 86 x 40, 1.75 twill, dyed, coated with 7.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.75802	.7351	.8663
54" T-13711 quality, 57", 64 x 56, 3.71 sheeting, dyed, coated with 6.4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.48535	.4706	.5547
36" T-L-12300 quality, 37½" 76 x 54, 2.00 drill, dyed, coated with 6 dry ounces of vinylite coating, dull and medium bright finished (purchased from Southeastern Cottons, Inc.)	.75167	.7288	.8591
36" T-12004 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 7.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.73292	.7107	.8376
36" T-12005 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 8.4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.80792	.7834	.9233
36" T-12008 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 11.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.98292	.9531	1.12
36" T-83600 quality, 40", 56 x 56, 3.60 sheeting, dyed, coated with 4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.42427	.4114	.4849
36" T-93602 quality, 40", 56 x 56, 3.60 sheeting, dyed, coated with 5.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.49927	.4841	.5706
36" T-93605 quality, 40", 56 x 56, 3.60 sheeting, dyed, coated with 5.5 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.51802	.5023	.5920
36" T-93950 quality, 37", 68 x 40, 3.95 drill, dyed, coated with 5.4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.49652	.4815	.5675
36" T-73956 quality, 37", 68 x 40, 3.95 drill, dyed, coated with 4 dry ounces of pyroxylin coating, dull and medium bright finish (purchased from Southeastern Cottons, Inc.)	.40902	.3966	.4675

[Per linear yard]

Commodity	Manufacturer	Supply jobber	Retailer
36" T-83958 quality 37", 68 x 40, 3.95 drill, dyed, coated with 5.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	$0. 48402	$0. 4694	$0. 5532
36" T-83950 quality, 37", 68 x 40, 3.95 drill, dyed, coated with 4.4 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.43402	.4209	.4960
36" T-L-83695 quality, 37½", 68 x 40, 3.95 drill, dyed, coated with 5 dry ounces of vinylite coating, dull and medium bright finishes, (purchased from Southeastern Cottons, Inc.)	.54965	.5330	.6282
36" T-11756 quality, 37" 86 x 40, 1.75 twill, dyed, coated with 8 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.80802	.7835	.9235
36" T-11759 quality, 37" 86 x 40, 1.75 twill, dyed, coated with 11.2 dry ounces of pyroxylin coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	1.00802	.9775	1.152
36" T-L-12400 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 7 dry ounces of vinylite coating, dull and medium bright finishes, (purchased from Southeastern Cottons, Inc.)	.82980	.8047	.9483
36" T-L-12500 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 8 dry ounces of vinylite coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.90792	.8804	1.038
36" T-L-12600 quality, 37½", 76 x 54, 2.00 drill, dyed, coated with 9 dry ounces of vinylite coating, dull and medium bright finishes, (purchased from Southeastern Cottons, Inc.)	.98605	.9562	1.269
36" T-L-92695 quality, 37½", 68 x 40, 3.95 drill, dyed, coated with 6 dry ounces of vinylite coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.62777	.6088	.7175
36" T-L-13195 quality, 37½", 68 x 40, 3.95 drill, dyed, coated with 7.4 dry ounces vinylite coating, dull and medium bright finishes (purchased from Southeastern Cottons, Inc.)	.73715	.7148	.8425

(b) With or prior to the first delivery of the coated fabrics covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum prices applicable to his resale of these coated fabrics to manufacturers, supply jobbers, and retailers which are the maximum prices set forth in paragraph (a) above.

(c) All requests not granted herein are denied.

(d) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13476; Filed, Aug. 2, 1946; 11:45 a. m.]

[MPR 478, Order 192]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Mass., shall be as follows:

Commodity	Per linear yard
Construction #502, 51" 1.04 x 64 1.32 sateen, coated with 20 dry ounces of synthetic resin (vinyl) coating per linear yard, calender coated and embossed	$2.2003

(b) With or prior to the first delivery of the coated fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13475; Filed, Aug. 2, 1946; 11:46 a. m.]

[MPR 478, Order 194]

FOSTEX, INC.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales by converters and wholesalers of the following coated fabric converted by the Fostex, Inc., Post Office Box 1714, Spartanburg, S. C., shall be as follows:

FOR SALES TO MANUFACTURERS

Commodity	Per linear yard
60" 38 x 40 1.87 soft filled, sheeting, F. M., dyed, coated with 6.4 dry ounces of pyroxylin coating	$0.74725

(b) With or prior to the first delivery of the coated fabric covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric to manufacturers which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13477; Filed, Aug. 2, 1946; 11:45 a. m.]

[MPR 591, Amdt. 1 to Order 665]

NASH-KELVINATOR CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, Order No. 665 under section 9 of Maximum Price Regulation No. 591, is amended as follows:

Paragraph (a) of Order No. 665 is amended to read as follows:

(a) (1) The maximum net prices delivered for sales by any persons of the following home freezer manufactured by the Nash-Kelvinator Corporation of Detroit, Michigan and described in the application dated May 1, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On Sales to—		
	Nash-Kelvinator to distributor	Dealer	Consumer
FC Kelvinator	$106.00	$123.00	$193.50
LF Leonard	106.00	123.00	193.50

The maximum price above includes a four-year guarantee after the first year.

(2) When a three-section wire basket is attached to the above freezers the following amounts may be added to the maximum prices in (1) above.

	On sales to—		
	Distributor	Dealer	Consumer
3-section wire basket	$7.50	$9.00	$15.00

This amendment shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13478; Filed, Aug. 2, 1946; 11:46 a. m.]

[Rev. SO 119, Rev. Order 229]

COLUMBIAN STEEL TANK CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 229 under revised Supplementary Order 119. Docket No. 6123-SO 119-71.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, *It is ordered:*

Order No. 229 under Revised Supplementary Order 119 is redesignated Revised Order 229 and is amended to read as follows:

(a) Maximum delivered prices for sales by any person of "Red Top" and "Style A" galvanized steel grain bins manufactured by Columbian Steel Tank Company of Kansas City, Missouri shall be as listed below:

Zone I. Missouri, Arkansas, Nebraska, Kansas, Illinois, Minnesota, North Dakota, Oklahoma, Iowa, South Dakota and Wisconsin.

	Red Top		Style A	
	1,000 bushel	1,350 bushel	1,600 bushel	2,150 bushel
To preferred jobber	$123.98	$146.14	$202.25	$232.60
To regular jobber	128.78	151.80	210.08	241.61
To jobber	131.33	154.80	214.24	246.12
To special dealer	138.54	163.30	226.00	259.34
To dealer	152.80	180.01	249.27	286.38
To consumer	181.17	213.55	295.55	339.58

Zone II. Texas, New Mexico, Colorado, Wyoming, Montana, Michigan, Indiana, Tennessee, Ohio, Kentucky, Mississippi and Louisiana.

	Red Top		Style A	
	1,000 bushel	1,350 bushel	1,600 bushel	2,150 bushel
To preferred jobber	$133.58	$159.10	$220.65	$253.76
To regular jobber	138.78	165.29	229.24	263.65
To jobber	141.53	168.62	233.79	268.61
To special dealer	149.34	177.88	246.70	283.15
To dealer	164.80	196.21	272.27	312.83
To consumer	195.57	232.99	323.15	371.32

Zone III. Idaho, Arizona, Utah, Washington, Nevada, California, Oregon, Alabama, West Virginia Pennsylvania, Vermont, and all Atlantic Seaboard States.

	Red Top		Style A	
	1,000 bushel	1,350 bushel	1,600 bushel	2,150 bushel
To preferred jobber	$140.78	$167.74	$234.45	$270.32
To regular jobber	146.28	174.29	243.61	280.89
To jobber	148.78	177.75	248.45	286.20
To special dealer	157.44	187.60	262.22	302.07
To dealer	173.80	207.01	289.62	333.53
To consumer	206.37	245.95	343.85	396.16

(b) The Columbian Steel Tank Company shall determine its maximum prices for galvanized steel grain bins other than those listed in (a), above, and metal prefabricated buildings and structures manufactured by it by increasing its prices on these items in effect on October 1, 1941 by 14.2 percent to each class of purchaser.

(c) All resellers of the commodities covered by paragraph (b) of this order may add to their prices on these items in effect on October 1, 1941 to each class of purchaser the percentage increase in cost resulting from the adjustment granted the manufacturer by paragraph (b) of this order.

(d) The maximum prices set forth in (a), (b) and (c) above shall be subject to cash discounts, transportation allowances and price differentials which are at least as favorable as those the manufacturer or resellers extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category on October 1, 1941.

(e) Each seller covered by this order, except a dealer, at or before the issuance of the first invoice after the effective date of this order shall give notice in writing of the maximum price, established by this order for each customer as well as the maximum prices established for such purchasers.

(f) The Columbian Steel Tank Company of Kanas City, Missouri, shall attach a tag on all commodities covered by paragraph (a) of this order reading substantially as follows:

OPA Maximum Retail Price $------

(g) Order No. L–60 under Supplementary Order 119 issued to Columbian Steel Tank Company is hereby revoked.

(h) All prayers for relief not granted herein are denied.

(i) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13479; Filed Aug. 2, 1946; 11:43 a. m.]

[SO 142, Amdt. 2 to Order 56]

STEWART-WARNER CORP.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Order No. 56 under Supplementary Order No. 152. Adjustment provisions for sales of industrial machinery and equipment and Revised Supplementary Order No. 119. Individual adjustments for reconverting manufacturers. Stewart-Warner Corporation. Docket Nos. 6083–SO 142–136–96 and 6069–RSO 119–236.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142 and sections 6 and 7 of Revised Supplementary Order No. 119, *It is ordered:*

Section (a) of Order No. 56, issued March 26, 1946, is hereby amended in part to read as follows:

The maximum prices for sales by Stewart-Warner Corporation, Chicago, Illinois, of all its products which are covered by any of the regulations listed in Supplementary Order No. 142 and of its hand-operated grease guns shall be determined as follows: The maximum prices for any of the above-described products, having a base date price, shall be the applicable base date price increased by 14.7%.

This amendment shall become effective immediately.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13480; Filed, Aug. 2, 1946; 11:44 a. m.]

[SO 142, Order 194]

SILVRAY LIGHTING, INC.

DETERMINATION OF MAXIMUM PRICES

Order No. 194 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. Silvray Lighting, Inc. Docket No. 6083–SO 142–136–719.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142; *It is ordered:*

(a) The maximum prices for sales by Silvray Lighting, Inc., New York, New York, of all its products which are covered by any regulation under Supplementary Order No. 142 shall be determined by increasing by 18% the maximum prices for these products in effect just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class just prior to the issuance of this order by the same percentage by which his net invoiced cost has been increased by reason of this order.

(c) Silvray Lighting, Inc. shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 3, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13482; Filed, Aug. 2, 1946; 11:43 a. m.]

[MPR 591, Order 768]

GRAYSON HEAT CONTROL, LTD.

ADJUSTMENT OF MAXIMUM PRICES

Order 768 under section 16 of Maximum Price Regulation No. 591. Docket No. 6123–591.16–189. Grayson Heat Control Limited, Lynnwood, California.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Grayson Heat Control Limited of Lynnwood, California.* (1) This order permits the Grayson Heat Control Limited of Lynnwood, California to increase by 12.3 percent its properly established maximum net prices in effect on August 1, 1946, to each class of purchaser for its line of controls for automatic gas water heaters therefor.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Grayson Heat Control Limited extended or rendered or would have extended or rendered to each class of purchaser during March 1942 on comparable sales of controls for automatic gas water heaters therefor.

(b) *Maximum prices for resellers.* (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on August 1, 1946, the actual percentage increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The Grayson Heat Control Limited shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order.

Order No. 768 under section 16 of Maximum Price Regulation No. 591 provides for a 12.3 percent increase in maximum net prices in effect on August 1, 1946, for sales by the Grayson Heat Control Limited for its line of controls for automatic gas water heaters therefor.

Resellers (but not manufacturers who purchase these items for use in the manufacture of other products) may add to their existing maximum prices the actual percentage increase in cost resulting from the adjustment granted by Order No. 768.

(d) All prayers of the application of The Grayson Heat Control Limited of Lynnwood, California, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective August 2, 1946.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–13521; Filed, Aug. 2, 1946; 4:37 p. m.]

[MPR 188, Amdt. 1 to Order 5033]

LOW END WOOD SCHOOL FURNITURE

ESTABLISHMENT OF MAXIMUM PRICES

For the reason set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

Order No. 5033 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Articles covered by this order.* This section contains 2 lists of wood school furniture, together with a dollar and cents "cut-off point" for each type of article. All such articles in either list for which the manufacturers properly established maximum prices are below the appropriate cut-off points, are called "low-end" articles in this order. The cut-off prices in either list are for sales by the manufacturer to jobbers, distributors or equivalent large volume classes of purchasers. Cut-off prices to other classes of purchasers shall be prices which reflect the manufacturer's customary or established differentials for sales to those other classes of purchasers. If, for any reason, the manufacturer has no such customary or established differentials, the Office of Price Administration will, upon application, establish appropriate cut-off prices to any other classes of purchasers which reflect customary trade differentials.

LIST No. 1

Articles of Wood[1] School Furniture for which maximum prices may be adjusted in accordance with the provisions of this order: Cut-off prices for sales to jobbers, distributors or equivalent large volume classes of purchasers.

Tables:	*Each*
48" x 20" plain	$8.00
60" x 20" plain	9.00
72" x 20" plain	10.75

LIST No. 2

Articles of Wood[1] School Furniture for which maximum prices may be adjusted in accordance with the provisions of this order: Cut-off prices for sales to jobbers, distributors or equivalent large volume classes of purchasers.

	Each
Tablet arm chairs, adult sizes, not smaller than 17" x 16" seat, seat not lower than 16" from floor	$6.00
Tablet arm chairs, junior size, not smaller than 13" x 11½" seat, seat not lower than 12" from floor	5.50
Side chairs, adult sizes, not smaller than 16" x 15" seat, seat not lower than 16" from floor	4.50
Side chairs, junior sizes, not smaller than 14½" x 12½" seat, seat not lower than 14" from floor	3.80
Side chairs, kindergarten, not smaller than 12" x 10½" seat, seat not lower than 12" from floor	3.50
Tables:	
48" x 20", 2 drawers	10.25
48" x 20", 2 pockets	10.00
60" x 20", 3 drawers	12.75
60" x 30", plain	10.75
60" x 30", 6 drawers	18.50
60" x 32", 2 drawers	16.50
72" x 20", 4 drawers	15.00
72" x 20", 4 pockets	14.50
72" x 30", plain	12.75
72" x 30", 8 drawers	22.50
72" x 36", 2 drawers	18.00

2. Section 3 is amended to read as follows:

SEC. 3. *Manufacturers' maximum prices.* (a) A manufacturer may increase his properly established maximum price for an article of low-end wood school furniture in List 1 of section 2, by 20% of that maximum price (exclusive of any permitted increases) or the amount necessary to bring that maximum price up to the appropriate cut-off point, whichever is the lesser. No maximum price adjusted under this section may exceed the appropriate cut-off point as found in section 2 of this order.

(b) A manufacturer may increase his properly established maximum price for an article of low-end wood school furniture in List 2 of section 2, by 30% of that maximum price (exclusive of any permitted increases) or the amount necessary to bring that maximum price up to the appropriate cut-off point, whichever is the lesser. No maximum price adjusted under this section may exceed the appropriate cut-off point as found in section 2 of this order.

This amendment shall become effective on the 2d day of August 1946.

Issued this 2d day of August, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13517; Filed, Aug. 2, 1946; 4:36 p. m.]

[1] As used in this order, the term "wood school furniture" means the above articles of school furniture when made with wood which accounts for at least 50% of the cost of materials used exclusive of Joining Hardware.

[SO 142, Corr. to Rev. Order 384]

A. S. CAMPBELL CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Correction to Revised Order No. 384 under Supplementary Order 142. Adjustment provisions for sales of industrial machinery equipment. A. S. Campbell Company, Inc. Docket No. 6085-SO 142-452-96.

Revised Order No. 384 is corrected in the following respects:

(1) It is redesignated Order No. 193 under Supplementary Order 142.

(2) The second paragraph of the narrative preceding paragraph (a) is corrected to read as follows:

Order No. L-384 is revoked and superseded by this Order No. 193.

Issued this 2d day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13481; Filed, Aug. 2, 1946; 11:44 a. m.]

PRICE DECONTROL BOARD.

CERTAIN DESIGNATED COMMODITIES

NOTICE OF PUBLIC HEARING

Pursuant to the authority contained in section 1A (e) (8) (B) of the Emergency Price Control Act of 1942, as amended by section 3 of the Price Control Extension Act of 1946, notice is hereby given that a public hearing will be held at Washington, D. C. in Room 318, Senate Office Building, commencing at 9:30 a. m., e. s. t., August 12, 1946.

The following table sets forth commodities which will be the subject of the public hearing and states the date on which the portion of the public hearing relating to each commodity will be held:

Commodities and Date

I. (a) Grains for which standards have been established under the United States Grain Standards Act, as amended. These grains are: wheat, corn, rye, barley, oats, feed oats, mixed feed oats, grain sorghums, flax seed, mixed grain. (Soybeans will be the subject of the part of the public hearing on August 14, 1946.) (b) Livestock feed or poultry feed processed or manufactured in whole or in substantial part from these grains.—August 12, 1946 at 9:30 a. m., e. s. t.

II. Livestock, and food or feed products processed or manufactured in whole or in substantial part from livestock. August 13, 1946 at 9:30 a. m., e. s. t.

III. Cottonseed and soybeans, and food or feed products processed or manufactured in whole or in substantial part from cottonseed and soybeans. August 14, 1946 at 9:30 a. m., e. s. t.

IV. Milk, and food or feed products processed or manufactured in whole or in substantial part from milk. August 15, 1946 at 9:30 a. m., e. s. t.

The purpose of this public hearing is to afford a full opportunity for representatives of the affected industries and consumers to present their views orally or in writing and to assist the Price Decontrol Board in determining whether or not any of the foregoing commodities should be subject to regulation after August 20, 1946, under the Emergency Price Control Act of 1942 and the Stabilization Act of 1942, both as amended.

With respect to the commodities specified above, section 1A (e) (8) (B) provides:

Such Board shall direct that any such commodity shall not be so regulated unless it finds:

(i) That the price of such commodity has risen unreasonably above a price equal to the lawful maximum price in effect on June 30, 1946, plus the amount per unit of any subsidy payable with respect thereto as of June 29, 1946, and

(ii) That such commodity is in short supply and that its regulation is practicable and enforceable, and

(iii) That the public interest will be served by such regulation.

The hearing will also assist the Price Decontrol Board in determining whether, if maximum prices are put in effect with respect to any of the foregoing commodities, any subsidy or any part thereof in effect prior to June 30, 1946, shall be established in whole or in part.

The Board will conduct the public hearing without regard to technical rules of procedure. The following provisions will generally govern the public hearing.

1. All interested persons and groups, including representatives of affected industries and representatives of consumers, will be given opportunity to present their views by filing written statements. Opportunity to make oral presentations will be limited as stated in the following paragraphs.

2. Written statements shall be typewritten or printed. Preferably the paper size shall be 8½ x 11 inches, and the statements shall be double spaced. Written statements shall be filed on or before the date of the applicable part of the hearing relating to the commodity involved. They shall be filed in person or by mail with the Secretary, Price Decontrol Board, Federal Reserve Building, Washington 25, D. C. If the statement is typewritten, a minimum of an original and five copies shall be filed. Twenty copies shall be filed if the statement is

printed, mimeographed or mechanically duplicated.

3. The written statement shall set forth the name and address of the person or group submitting the statement, and shall specify the interest of that person or group. The written statement shall consist of two parts: first, the presentation of views; and second, the presentation of such economic or other data or facts as may substantiate those views, including affidavits, charts, tables, price quotations or similar data. The source of such data and method of preparation or compilation shall be stated. Both parts of the statement shall be as brief as possible. The presentation of views should not exceed 4,000 words.

4. In view of the breadth of the subject-matter of the public hearing and the time limitation of August 20, 1946, imposed by the Act, interested persons and groups are urged to confine their presentation to written statements rather than request opportunity to make oral presentation.

5. Interested persons and groups who desire to make an oral presentation of views at the public hearing shall file a written request for oral presentation on or before August 8, 1946. The request may be delivered, mailed or telegraphed to the Secretary, Price Decontrol Board, Federal Reserve Building, Washington, 25, D. C. The request shall simply state the name and address and specify briefly the nature of the group or interest involved, and shall also, if possible, state the name and address of the person to make the oral presentation.

6. The Board will make allotments of time among the interested persons and groups. The Board gives notice that it may be unable to make allotments to all those making requests for oral presentation. The Board will advise those requesting oral presentations either of the time allotted or of the fact that the Board has been unable to make an allotment of time for oral presentation. The Board will endeavor, but it cannot guarantee, to make that information available in advance of the applicable part of the hearing.

7. Oral presentations at the public hearing will be made in the order called by the Chairman of the Board. Persons making oral presentations will confine themselves to relevant matters and state their views as briefly as possible. In view of the limited time, they will not be permitted to introduce or offer proof of economic or other data and facts in the course of the oral presentation, but they may make reference to such data and facts included in written statements already filed. They may be questioned by Board members or Board counsel but not otherwise.

8. On the day after the close of the applicable part of the hearing, supplementary written statements may be filed as rebuttal.

In making its determinations under section 1A (e) of the Emergency Price Control Act of 1942, as amended, the Price Decontrol Board will give due consideration to the written and oral presentations at the public hearing. It reserves to itself the right to obtain and take into account additional information.

PRICE DECONTROL BOARD.
ROY L. THOMPSON,
Chairman.

AUGUST 2, 1946.

[F. R. Doc. 46-13557; Filed, Aug. 5, 1946; 11:29 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-427]

KRESGE DEPARTMENT STORES, INC.

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of August A. D. 1946.

In the matter of trading on the New York Stock Exchange in the common stock, $1 par value, of Kresge Department Stores, Inc. File No. 1-427.

The common stock, $1 par value, of Kresge Department Stores, Inc., being listed and registered on the New York Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in such security be summarily suspended on the New York Stock Exchange in order to prevent fraudulent, deceptive, or manipulative acts or practices, this order to be effective for a period of ten (10) days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-13548; Filed, Aug. 5, 1946; 9:46 a. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER CO.

NOTICE OF AND ORDER RECONVENING HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of August 1946.

Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company ("PEPCO"), a registered holding company, and a debtor now in reorganization under Chapter X of the Bankruptcy Act, as amended, in the District Court of the United States for the District of Oregon, having, on July 5, 1946, filed an application for approval of certain amendments to their second alternative amended plan (as heretofore further amended to comply with certain conditions of the Commission's order of approval dated January 14, 1946) for the reorganization of PEPCO pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935; and

The provisions of said amendments having been set forth in the Commission's notice of filing of amendments to plan pursuant to section 11 (f) and order, dated July 12, 1946 (Holding Company Act Release No. 6783), wherein the Commission directed that any interested person might, not later than July 26, 1946, request that a hearing be held on such amendments; and

Certain first preferred stockholders of PEPCO having filed a request for a hearing on such amendments giving their reasons therefor, and the Commission having considered said request and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the request be granted and that a hearing be held with respect to said amendments;

It is ordered, That the above entitled proceedings be reconvened and a hearing on such amendments, under the applicable provisions of said act and rules of the Commission thereunder, be held on September 9, 1946, at 10:00 a. m. e. d. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before William W. Swift, the trial examiner heretofore designated, in such room as may be designated on such day by the hearing room clerk in Room 318;

It is further ordered, That, without limiting the scope of the issues presented by said application and amendments, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan, as now amended, is fair and equitable and feasible.

2. To what extent, if any, the plan should be further amended to render it fair and equitable and feasible.

3. What conditions, if any, should be attached to the Commission's order.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, and on all other persons who have heretofore entered their appearances herein or on their respective counsel of record, on the Public Utilities Commissioner of the State of Oregon and on the Department of Public Utilities of the State of Washington; and that notice be given to all other persons by publication of this order in the FEDERAL REGISTER;

It is further ordered, That any person who has not heretofore entered his ap-

pearance herein, desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Commission, on or before September 7, 1946, his request or application therefor, as provided in Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-13545; Filed, Aug. 5, 1946; 9:46 a. m.]

[File Nos. 54-120, 59-34]

NEW ENGLAND GAS AND ELECTRIC ASSN.

MEMORANDUM FINDINGS, OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of August 1946.

This Commission in its findings and opinion and order dated June 24, 1946 approved the Amended Plan of Recapitalization filed by New England Gas and Electric Association ("New England") under section 11 (e) of the Public Utility Holding Company Act of 1935, and, among other things, reserved jurisdiction to pass upon certain necessary amendments with respect to the terms of the $22,500,000 principal amount of Series A 20-year Collateral Trust Sinking Fund Bonds and 2,300,000 common shares to be issued by New England pursuant to the terms of the Amended Plan.[1]

In accordance with New England's request the Commission applied to the District Court of the United States for the District of Massachusetts to enforce and carry out the terms and conditions of the Amended Plan, and, after hearing before such Court, the Amended Plan was approved and ordered to be enforced by Court Order dated July 17, 1946.

Thereafter, New England filed an amendment to its declaration pursuant to section 7 of the act with respect to the proposed issue and sale of its Series A Bonds and new common shares. The amendment includes the Amended Declaration of Trust of New England, the Indenture with respect to the new bonds, and the prospectus and bidding papers filed by New England pursuant to the Securities Act of 1933.

The Series A Bonds are to be issued under an Indenture, dated July 1, 1946, between New England and Old Colony Trust Company, as Trustee, and will be secured by all of the common stocks of the Massachusetts operating subsidiaries of New England[2] and by temporary collateral consisting of $1,000,000 principal amount of United States Government Bonds and 23,361 shares of Western Massachusetts Companies, or the proceeds of the sale thereof (if sold prior to the effective date of the Amended Plan) invested in United States Government Bonds.

The Indenture contains provisions which we deem appropriate for the protection of the public interest and the interest of investors and consumers. Among other things, provision is made for a 1% sinking fund, and a prohibition on the issuance of any additional bonds by New England which would increase the ratio of consolidated debt of New England and its subsidiaries to more than 60% of the consolidated capitalization of New England and its subsidiaries. As a condition to the issuance of any additional bonds by New England, consolidated net earnings of the system for at least twelve consecutive months within the preceding fifteen months must be at least 2½ times the annual interest charges on all bonds to be outstanding immediately after the issuance of such additional bonds. There is also a provision requiring New England to cause each of its operating subsidiaries to provide annually for maintenance and replacement a sum equal to 15% of such subsidiary's total revenues from the sale of electric energy, gas and steam as reduced by the cost of purchases thereof. To the extent that there is a deficiency in such amount required to be set aside by each subsidiary for the purpose, New England is required to deposit with the Trustee out of its own funds the amount of such deficiency. Both the Indenture and the Amended Declaration of Trust include limitations upon the payment of cash dividends on the common shares to earnings accumulated subsequent to the effective date of the Amended Plan.

The amendments relating to the Declaration of Trust in respect to the rights of the new common shares do not require any discussion in addition to that set forth in our findings and opinion approving the Amended Plan.

In accordance with the provisions of the Amended Plan and the competitive bidding requirements of Rule U-50, bids will be solicited, pursuant to public invitation, for the Series A Bonds and that portion of the total issue of 2,300,000 common shares which is not required by the Amended Plan to be allocated for exchange for 72,103 publicly held $5.50 dividend series preferred shares. The bidders will designate the interest rate on the bonds (which shall be a multiple of ⅛ of 1%) and the price to be paid to New England for such bonds (which shall not be less than the principal amount of the bonds nor more than 102¾% of the principal amount).

We observe no basis for adverse findings with respect to the amendments setting forth the terms and conditions of the new bonds and new common shares.

It is therefore ordered, That the declaration pursuant to section 7 of the act be, and hereby is, permitted to become effective, subject to the terms and conditions set forth in said order dated June 24, 1946, and subject to the further condition that the proposed sale of $22,500,000 principal amount of Series A Collateral Trust Sinking Fund Bonds and such new common shares as are to be sold at competitive bidding shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved with respect to the imposition thereof in connection with such proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-13546; Filed, Aug. 5, 1946; 9:46 a. m.]

[File No. 70-1325]

NORTHERN STATES POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August 1946.

Northern States Power Company, a Minnesota corporatiton and a registered holding company, and a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company, having filed a declaration and amendments thereto pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 regarding: (a) the issue and sale, pursuant to the competitive bidding provisions of Rule U-50, of 275,000 shares of new cumulative preferred stock, $_____ Series, stated value $100 per share; (b) the redemption of all its outstanding 275,000 shares of cumulative preferred stock, $5 Series, stated value $100 per share, at the redemption price of $110 per share; (c) the offer, in connection with such redemption of its preferred stock, to holders of said preferred stock of the right to exchange their shares for shares of new cumulative preferred stock, $_____ Series, on a share-for-share basis together with a cash payment of an amount equal to the difference between the price at which the shares of the new cumulative preferred stock, $_____ Series, not issued pursuant to the exchange offer are sold to the public, and the redemption price, $110 per share, of the cumulative preferred stock, $5 Series, plus accrued dividends to the date of redemption; and (d) the proposal to request bids, pursuant to Rule U-50, for the services of underwriters in effecting exchanges of shares of the outstanding cumulative preferred stock, $5 Series and the purchase of shares of the new cumulative preferred stock, $_____ Series, not issued pursuant to the exchange offer, said bids also to determine the price to be paid the Company and the dividend rate of the new cumulative preferred stock, $_____ Series;

The Commission having by order dated July 23, 1946, permitted said amended declaration to become effective except as to the price to be paid for said cumulative preferred stock, the dividend rate thereon, the underwriter's compensation

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[1] Holding Company Act Release No. 6729.

[2] New England owns 100% of the common stock of all of its Massachusetts operating subsidiaries except New Bedford Gas and Edison Light Company, of whose common stock New England owns 97.04%.

in connection with effecting the said exchanges and the purchase of the unexchanged shares of new preferred stock, and all legal fees and expenses, as to which matters jurisdiction was reserved; and

Northern States Power Company having filed a further amendment to its declaration as amended, in which it states that, in accordance with the permission granted by said order of the Commission dated July 23, 1946, it has offered said cumulative preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidder	Dividend rate	Price per share to company before bidder's compensation [1]	Compensation to be paid to bidder	Annual cost of money
				Percent
Dillon, Read & Co., Inc.	$3.60	$102.75	$624,299	3.5828
Smith Barney & Co.	3.70	102.75	453,750	3.65974

[1] Plus accrued dividends from July 1, 1946.

Said amendment having set forth that Northern States Power Company has accepted the bid of Dillon, Read & Co., Inc. and that the successful bidder will offer the cumulative preferred stock, $3.60 Series, not issued pursuant to the said exchange offer, for sale to the public at $102.75 per share, plus accrued dividends from July 1, 1946, and that the successful bidder's compensation for services in effecting the exchange and underwriting the balance of the shares of the cumulative preferred stock, $3.60 Series, not issued pursuant to said exchange offer is $624,299, representing compensation of $2.27 per share; and

Counsel for the Company and for the underwriters having filed statements with respect to the nature of their services in connection with the transactions; and

The Commission having examined the record in the light of such amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid for the cumulative preferred stock, $3.60 Series, the dividend rate thereon, or the bidder's compensation; and

It appearing that the legal fees as follows: A. Louis Flynn of Chicago, Illinois, $15,000, as counsel for the Company, and the firm of Gardner, Carton & Douglas, Chicago, Illinois, $6,500 as independent counsel for the underwriters are for necessary services and are not unreasonable, and that the expenses as shown by the record herein are not unreasonable;

It is ordered, That jurisdiction heretofore reserved over the price to be paid for said preferred stock, the dividend rate thereon, and the underwriter's compensation be, and the same is hereby released and the declaration, as amended, be, and the same is hereby permitted to become effective, subject to the terms and conditions prescribed in Rule U-24;

It is further ordered, That the jurisdiction heretofore reserved over all legal fees and expenses of all counsel to be paid in connection with the transaction, be, and the same hereby, is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-13547; Filed, Aug. 5, 1946; 9:46 a. m.]

WAR SHIPPING ADMINISTRATION.

"NORDPOL"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by Administrator, War Shipping Administration, pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas the title to the vessel "Nordpol" of Danish registry was requisitioned pursuant to the act of June 6, 1941 (Public Law 101—Seventy-seventh Congress; 55 Stat. 242), as amended, on or about July 1, 1941; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress; 57 Stat. 45), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, of just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Pub. Law 101, 77th Congress)), is not required by the United States and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the expiration of a period of two months after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner * * *

and

Whereas neither the full amount nor 75 per centum of just compensation for such vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel is not required by the United States; and

Whereas the former owner of the said vessel has consented to this determination and to the return of the vessel and to the conversion of the requisition, of the title thereto to a requisition of the use thereof in accordance with the Act approved March 24, 1943 (Public Law 17—78th Congress);

Now, therefore, I, Granville Conway, Administrator, War Shipping Administration, acting pursuant to the Act approved March 24, 1943 (Public Law 17—78th Congress), do hereby determine that the ownership of said vessel is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: August 1, 1946.

GRANVILLE CONWAY,
Administrator.

[F. R. Doc. 46-13555; Filed, Aug. 5, 1946; 11:14 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6744]

MRS. ELISE SCHMIDT VON JOHNSON

In re: Investment share account, building and loan certificate, savings account, bank accounts and household goods owned by Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elise Ujffy Schmidt von Johnson. F-28-4635-A-1, F-28-4635-C-1, F-28-4635-C-2, F-28-4635-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elsie Ujffy Schmidt von Johnson, whose last known address is 9 Englschalkingerstr., Munich 27, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. An investment share account, in the amount of $4,700, in Guaranty Federal Savings & Loan Association, Galveston, Texas, evidenced by certificate number G 1582, dated April 15, 1938, registered in the name of Mrs. Elise Schmidt von Johnson, and presently in the custody of The First National Bank of Galveston, 2127 Avenue B (Strand), Galveston, Texas, together with all declared and unpaid dividends thereon,

b. Thirty-one and eighty-eight hundredths (31.88) shares of capital stock of Guaranty Building & Loan Company, Galveston, Texas, evidenced by liquidating certificate number G 2765, dated April 15, 1938, registered in the name of Mrs. Elise Schmidt von Johnson, and presently in the custody of The First National Bank of Galveston, 2127 Avenue B (Strand), Galveston, Texas, together with all declared and unpaid dividends thereon,

c. That certain debt or other obligation owing to Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elise Ujffy Schmidt von Johnson, by Guaranty Federal Savings & Loan Association, Galveston, Texas, arising out of a savings account, Account Number G 2808, entitled Mrs. Elise Schmidt von Johnson, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation owing to Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elise Ujffy Schmidt von Johnson, by The First National Bank of Galveston, 2127 Avenue B (Strand),

Galveston, Texas, arising out of a checkling account, entitled Mrs. Elise Schmidt von Johnson, and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation owing to Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elise Ujffy Schmidt von Johnson, by The First National Bank of Galveston, 2127 Avenue B (Strand), Galveston, Texas, arising out of a savings account, Account Number 10923, entitled Mrs. Elise von Johnson, and any and all rights to demand, enforce and collect the same, and

f. All those certain household goods owned by Mrs. Elise Schmidt von Johnson, also known as Mrs. Elise von Johnson and Mrs. Elise Ujffy Schmidt von Johnson, presently in the custody of The Wiley and Nicholls Company, 509–11 Thirty-Fifth Street, Galveston, Texas, as evidenced by the aforesaid Company's Warehouse Receipt number S 2458, issued June 19, 1931, including particularly but not limited to the following:

One (1) pedestal,
One (1) bookcase,
One (1) mirror,
One (1) china closet,
One (1) crate pictures, and
One (1) empty box,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13445; Filed, Aug. 2, 1946; 9:35 a. m.]

[Vesting Order 6764]

B. L. BEILIN.

In re: Stock owned by B. L. Beilin, also known as Bronislaw L. Beilin. F–65–83–A–1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That B. L. Beilin, also known as Bronislaw L. Beilin, whose last known address is P. O. Box 148, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. That the property described as follows: Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Hurley & Co., 55 Wall Street, New York, New York, beneficially owned by B. L. Beilin, also known as Bronislaw L. Beilin, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name and address of corporation	State of incorporation	Certificate Nos.	Number of shares	Par value	Type of stock
American Can Co., 230 Park Ave., New York, N. Y.	New Jersey	0269781	10	$25	Common.
Anaconda Copper Mining Co., 25 Broadway, New York, N. Y.	Montana	F639319	80	50	Capital.
General Foods Corp., 250 Park Ave., New York, N. Y.	Delaware	0208755	10	(1)	Common.
General Motors Corp., 3044 West Grand Blvd., Detroit, Mich.	do	C408–351	10	10	Do.
		C533–985	10	10	Do.
Liggett & Myers Tobacco Co., 4241 Folsom Ave., St. Louis, Mo.	New Jersey	F23192	20	25	Common, Class B.
Sterling Drug, Inc., 170 Varick St., New York, N. Y.	Delaware	F2678	4	10	Capital.
Union Pacific Railroad Co., 120 Broadway, New York, N. Y.	Utah	B527816	10	100	Common.
		A453326	6	100	Do.
United States Steel Corp., 71 Broadway, New York, N. Y.	New Jersey	P9940	20	(1)	Do.
Universal Leaf Tobacco Co., Inc., Richmond Trust Bldg., Richmond, Va.	Virginia	NY/O 9707	20	(1)	Do.

[1] No par value.

[F. R. Doc. 46–13446; Filed, Aug. 2, 1946; 9:35 a. m.]

[Vesting Order 6881]

LOUISE MEYER

In re: Estate of Louise Meyer, deceased. File No. D-28-8261; E. T. sec. 9428.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Max Rees, August Rees, Gertrude Bonn, Christine Rees, William Rees, also known as William Ress, Oscar Rees, Edward Rees, Adolph Rees, Frieda Rees, the two children of Adam Rees, deceased, names unknown, and the four children of Matilda Von Gelen, deceased, names unknown, and each of them, in and to the estate of Louise Meyer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Rees, Germany.
August Rees, Germany.
Gertrude Bonn, Germany.
Christine Rees, Germany.
William Rees, also known as William Ress, Germany.
Oscar Rees, Germany.
Edward Rees, Germany.
Adolph Rees, Germany.
Frieda Rees, Germany.
The two children of Adam Rees, deceased, names unknown, Germany.
The four children of Matilda Von Gelen, deceased, names unknown, Germany.

That such property is in the process of administration by Max Rees, as Administrator of the Estate of Louise Meyer, deceased, acting under the judicial supervision of the Passaic County Orphans' Court, Paterson, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13447; Filed, Aug. 2, 1946; 9:35 a. m.]

[Vesting Order 6976]

LOUISE HAUSS

In re: Bank account owned by Louise Hauss. F-28-22665-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Louise Hauss, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Louise Hauss, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1,124,256, entitled Louise Hauss, maintained at the branch office of the aforesaid bank located at 157 4th Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13448; Filed, Aug. 2, 1946; 9:35 a. m.]

[Vesting Order 6977]

HAYASHIKANE SHOTEN KAISHA LTD.

In re: Bank account owned by Hayashikane Shoten Kaisha Ltd. F-39-2481-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hayashikane Shoten Kaisha Ltd., the last known address of which is Tokyo, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Hayashikane Shoten Kaisha Ltd., by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a commercial account, entitled Hayashikane Shoten Kaisha Ltd., maintained at the branch office of the aforesaid bank located at 2808 Santa Fe, Vernon, California, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13449; Filed, Aug. 2, 1946; 9:35 a. m.]

[Vesting Order 6978]

MARTHA HERZIG

In re: Bank account owned by Martha Herzig. F–28–23895–E–1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Martha Herzig, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Martha Herzig, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,339,318, entitled Martha Herzig, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13450; Filed, Aug. 2, 1946; 9:36 a. m.]

[Vesting Order 6980]

HINRICH HINRICHS

In re: Bank account owned by Hinrich Hinrichs. F–28–2360–E–2.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hinrich Hinrichs, whose last known address is Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

That the property described as follows: That certain debt or other obligation owing to Hinrich Hinrichs, by Seaboard Trust Company, 95 River Street, Hoboken, New Jersey, arising out of a savings account, Account Number 9109, entitled Hinrich Hinrichs, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13452; Filed, Aug. 2, 1946; 9:36 a. m.]

[Vesting Order 6981]

HANS HEINZ HOCK

In re: Bank account owned by Hans Heinz Hock. F–28–22594–E–1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Hans Heinz Hock, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hans Heinz Hock, by The Brooklyn Savings Bank, 300 Fulton Street, Brooklyn, New York, New York, arising out of a savings account, entitled Hans Heinz Hock, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13453; Filed, Aug. 2, 1946; 9:36 a. m.]

[Vesting Order 6979]

HINRICH HINRICHS

In re: Bank account owned by Hinrich Hinrichs. F–28–2360–E–1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hinrich Hinrichs, whose last known address, is Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hinrich Hinrichs, by Central Savings Bank in the City of New York, 2100 Broadway, New York, New York, arising out of a savings account, Account Number 1,005,011, entitled Hinrich Hinrichs, maintained at the branch office of the aforesaid bank located at Fourteenth Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 8, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13451; Filed, Aug. 2, 1946; 9:36 a. m.]

[Vesting Order 7083]

MAX PECHSTEIN

In re: Thirty water color pictures and a claim owned by Max Pechstein.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Max Pechstein, whose last known address is 126 Kurfuerstenstrasse, Berlin, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain water color pictures, presently in the possession of Lilienfeld Galleries, 21 East 57th Street, New York, New York, which were received from Max Pechstein and are believed to be particularly described in Exhibit A, attached hereto and by reference made a part hereof, and

b. All right, title, interest and claim of Max Pechstein in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Lilienfeld Galleries, including particularly but not limited to those sums arising by reason of certain water color pictures sold, and any and all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the

Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 15, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

1. Tree on water.
2. Winter.
3. Morning on stream.
4. Bank in rain.
5. Fishing boats.
6. Early hour.
7. East sea strand.
8. Village on Sunday.
9. Lupines.
10. Rolling sea.
11. The sea breaks.
12. Sun in the morning.
13. Boats on the wharf.
14. Pines and dunes.
15. Morning, Lake Leba.
16. Red roof.
17. Sea.
18. Rivulet of trout.
19. Clouds in the morning.
20. Sun rise.
21. Winter landscape.
22. Old willows.
23. Still life.
24. Red house.
25. Evening on the stream.
26. Plucking geese.
27. Portrait of a girl.
28. Harbor entrance of Leba.
29. Fishing boat in heavy sea.
30. Fisherman's house.

[F. R. Doc. 46–13454; Filed, Aug. 2, 1946; 9:36 a. m.]

[Supplemental Vesting Order 7190]

CARRIE BOEHME

In re: Estate of Carrie Boehme, deceased. (File D–28–1636; E. T. sec. 470).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Luise Flebbe, Ernst Alten, Gustav Alten, Heinrich Alten, Marie Brinckmann and the issue, names unknown, of Marie Alten, and each of them, in and to the Estate of Carrie Boehme, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Luise Flebbe, Germany.
Ernst Alten, Germany.
Gustav Alten, Germany.
Heinrich Alten, Germany.
Marie Brinckmann, Germany.
Issue, names unknown, of Marie Alten, Germany.

That such property is in the process of administration by the Federal Trust Company, as executor and trustee of the Estate of Carrie Boehme, deceased, acting under the judicial supervision of the Orphans' Court, Essex County, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13455; Filed, Aug. 2, 1946; 9:36 a. m.]

[Supplemental Vesting Order 771, Order]

EMPIRE GAS & FUEL CO.

In re: Debentures of Empire Gas and Fuel Company owned by Ottilie Strieder, also known as Tillie Traudt Strieder.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 771, dated January 27, 1943, as amended October 5, 1943, that Ottilie Strieder, also known as Tillie Traudt Strieder, whose last known address is Leipzig, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. Finding that Ottilie Strieder, also known as Tillie Traudt Strieder, was, on February 15, 1943, the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. One (1) Empire Gas and Fuel Company 3½% Sinking Fund Debenture, due January 1, 1962, of $500 face value, bearing the number D2235, and

b. Three (3) Empire Gas and Fuel Company 3½% Sinking Fund Debentures, due January 1, 1962, of $1000 face value each, bearing numbers M18417, M18418 and M18419;

was, on February 15, 1943, property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And further finding that on February 15, 1943, employees of the Office of Alien Property Custodian took control and possession of the aforesaid property, believing that it was encompassed within Vesting Order Number 771, dated January 27, 1943; and that it was subsequently sold and the proceeds with respect thereto duly received by this Office;

hereby confirms and ratifies the said acts of said employees in taking control and possession of the aforesaid property and all actions taken on behalf of the Alien Property Custodian in reliance thereon and pursuant thereto, and hereby determines that the said property was vested by virtue of the said acts duly ratified and confirmed.

Executed at Washington, D. C., on June 26, 1940.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46–13456; Filed, Aug. 2, 1946; 9:37 a. m.]

[Vesting Order CE–201, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OHIO, WISCONSIN, INDIANA OR MINNESOTA COURTS

Vesting Order Number CE–201, dated March 19, 1946, is hereby amended as follows and not otherwise:

By deleting Item 5 of Exhibit A in its entirety and by deleting the sum of "$24.00" appearing in Column 4 of Item 6 in Exhibit A, and substituting therefor the sum of "$72.00".

All other provisions of said Vesting Order Number CE–201 and all action taken on behalf of the Alien Property Custo-

dian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 29, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13457; Filed, Aug. 2, 1946; 9:37 a. m.]

[Vesting Order CE-220, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Vesting Order Number CE-220, dated April 1, 1946, is hereby amended as follows and not otherwise:

By deleting the words "Irving Trust Company, 1 Wall Street, New York City, Trustee", appearing in Column 5 of Item 9 in Exhibit A, and substituting therefor the words "The Continental Bank & Trust Company, New York, N. Y., and Nettie G. DePaats, Trustees, 30 Broad Street, New York 5, N. Y."

All other provisions of said Vesting Order Number CE-220 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 29, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13458; Filed, Aug. 2, 1946; 9:37 a. m.]

[Vesting Order CE-227, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OHIO, NORTH DAKOTA AND WISCONSIN COURTS

Vesting Order Number CE-227, dated April 1, 1946, is hereby amended as follows and not otherwise:

By deleting Items 6 to 9 inclusive, of Exhibit A in their entirety and substituting therefor the following:

Item 6

Jadwiga Willeba, Poland:	
Estate of John Willeba, deceased, Probate Court, Lorain County, Ohio; Docket No. 22-A; Page 22741; File No. 22741	$690.38
Jacob Levin, Administrator of the Estate of John Willeba, deceased, Cleveland Trust Building, Lorain, Ohio	36.00

All other provisions of said Vesting Order Number CE-227 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 29, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13459; Filed, Aug. 2, 1946; 9:37 a. m.]